

THE
CALCUTTA REVIEW.

VOLUME CIII.

July 1896.

No man who hath tasted learning but will confess the many ways of profiting by those who, not contented with stale receipts, are able to manage and set forth new positions to the world: and, were they but as the dust and cinders of our feet, so long as in that notion they may yet serve to polish and brighten the armoury of truth, even for that respect they were not utterly to be cast away.—MILTON.

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CALCUTTA REVIEW.

No. CCV.

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THE CALCUTTA REVIEW.

No. 205.—JULY 1896.

ART. I.—THE INDO-GERMANIC MYTH.

A witty Teuton has compared the mental process of his fellow-countrymen to the boiling of a kettle.

There is first, he says, much hidden activity, a world of indefatigable diligence among the molecules, as they hurry hither and thither, imbibing caloric. This continues, either quite silently, or with hardly perceptible murmuring, till all suddenly breaks into ebullition and confusion, and rises in masses of white steam. The kettle has boiled over.

This comparison he has fortified by many historical instances; but still better illustrations could probably be gleaned from the fields of philology and Oriental research.

There is, to begin with, the case of the Homeric poems. With incredible industry, a renowned scholar set himself to study their language, their form, the range of ideas and knowledge they indicated. He analysed and numbered everything, almost going so far as to count the syllables. Among other discoveries, he found that there was, in the poems, no very clear idea of writing; no unequivocal mention of literary art. During all this strained research, the temperature had been steadily rising; and presently the inevitable ebullition came.

From the very interesting observation that the epics were distinctly weak on the subject of letters, the busy scholar jumped to the general conclusion that the Greeks were altogether ignorant of writing some eight or nine centuries before our era.

• Another Teutonic philosopher, dazzled by this brilliant result, immediately set to work to apply the same method to India; he also manifested entirely praiseworthy industry in research, wending his way unwearied over mountains of mythology, through forests of philosophy and theological thickets. But he also was subject to the laws of specific heat and aeriform pressure. In his case the steam took the form of a pronouncement that the Indians were ignorant for several centuries longer than the Greeks, and that the Sages of the Seven Rivers were, therefore, under the necessity of carrying their colossal literature in their hands; nay, that they were

even experts in mental philology, and had evolved a whole system of phonetics with vowels and consonants and breathings, sonants and surds, without ever writing a syllable of it down.

Then came time's revenges. Not by high Teutonic subjectivity, but by solidest and most common place observation, it was discovered that, eight or nine centuries before our era, not only were the Hellenes not blameless of writing, but at that very time all kinds of adventurers and mercenaries were so familiar with letters that they put in their spare time carving their names on Egyptian monuments—which certainly shows a very high degree of literary culture indeed.

And, to the great relief of the Indian Sages, it was shown that, if they borrowed their writing from a Western source, they must have done so even before the Greek mercenaries embellished Abu Simbel; while, if they evolved the letters of the gods out of their own inner consciousness, they must have brought the process pretty well to completion some three thousand years ago.

Then there is the famous myth of the Indo-Germans.. Following a suggestion of the talented English knight, who gave 'Sacontala' to the Western world, certain industrious Teutons set to work to explore the relations between the 'Sungskreet' of the Brahmans and the classical tongues, to which were soon added the Keltic, the speech of the Goths, the antique idiom of the Lithuanians. Joyfully toiling at their task, they found all kinds and degrees of proximity, the parentage of particles, kinship among conjunctions, a close brotherhood of pouns and verbs. After years of honest labour, they had brought their discoveries well nigh to a close, when, as ill luck would have it, the critical temperature was reached. Their race destiny compelled them to obscure their results, to muffle them in mystery,—to wrap them up in an altogether misleading name.

Having assured themselves of Sanskrit's consanguinity not only with Latin and Greek and Keltic, but also with the old Teutonic, Lithuanian, and Slavonic tongues, with the ancient language of the Avesta, and, through these, with a score of modern forms of speech, they had to express this great discovery in a name. They invented a new word—, 'Indo-Germanic,' and therewith baptised the whole family, from the Delta of the Mahanadi to Cape St. Vincent, sometimes including even the American Colonies, North and South.

Why 'Indo-Germanic?' Why not Indo-Persic, Indo-Hellenic Indo-Romanic, Indo-Keltic, Indo-Gothic, Indo-Lethic, or Indo-Slavonic? An American scholar used to affirm, in his caustic way, that it was through an imperious necessity of con-

necting their own name with the discovery ; and not their very own name even then, but a nick-name given them by their Roman conquerors. If he had been acquainted with the analysis of Teutonic mentality, he would have seen that this is not the real reason at all ; it was simply that the kettle of the Fatherland had boiled over.

As the steam grew denser, and the gleam of the firelight caught it, the 'Indo-Germanic' seers began to behold the faint outlines of a charming idyllic picture in the white clouds. Far away in the Morning Land they perceived, with prophetic insight, a fair upland valley, the fruitful home of the great progenitor of all the 'Indo-Germans' ; they even caught an echo of his name—Father Indicus, and the sweet designation of his spouse—Mother Germanica.

The old man, grey-headed, resolute, was sending forth his offspring ; Frau Germanica stood in the doorway, vainly trying to keep back her tears. As they were looking at the white cloud that held the picture from varied directions, the Teutonic seers could not make up their minds who first, who last, departed from that happy valley. At any rate, by the time Father Indicus had got well on with his dismissings, most of the boys were gone ; Hellenicus, Italieus, Kelticus had certainly disappeared ; and Teutonicus and Lithuanio-Slavicus were not long in following. There remained only their sister, Fraulein Indica, for whom was reserved a special blessing. She waited, lingering in the ancestral hamlet, till the clock struck 1500 B.C., and then, kissing her hand to her mother, and nodding gaily to papa, she tripped down the slopes of the Hindu-Kush, regardless of ice and snow, and arrived in the land of the Seven Rivers just in time to set on foot a campaign against the hundred cities of the Dasyus, and to teach the Seven Seers to warble Vedic lays.

It is not quite clear whether the person named Iranius was really a younger brother whom Miss Indica took with her ; or was a youth with whom she had been keeping company in the happy valley ; or, again, a mere adventurer and outsider in perpetual difficulties with his sibilants, whom she picked up somewhere among the mountains. It is even hinted that he called her Miss Hindica, and it is quite certain that he used to say hapta instead of sapta, for seven ; but then, on the other hand, Master Hellenicus did much the same.

And this raises a whole series of questions. Was the table-talk of the paternal hamlet quite uniform, or were divergencies of speech already incipient in the happy valley ? Did young Teutonicus say : Good-bye, Mutter, while Italieus and Indica said : Good-bye, Mater, or Matar ; Hellenicus at the same time murmuring : Farewell, Meter ? Did they, thereupon,

animædvert upon each other's faulty pronunciation? Did this cause a coolness, and confirm them each in his own way? and was it mere obstinacy that prompted Teutonicus relentlessly to use up all his surds before the others had got well into their sonants.

Unhappily the white cloud faded before all these points could be satisfactorily decided.

However, the divine vision had lasted long enough to give the Indo-Germanic philosophers a firm subjective basis for future investigation and research: and the work went strenuously on. With much rigour and vigour were elevated theories of successive immigrations; clearly marked periods of union, communion, separation and dissipation were discerned; kinships of all degrees were settled, from the closest consanguinity to the most distant third cousinship: and the epic of the foremost peoples in the world was composed, this time not without the aid of writing.

When the step from the affinities of 'Indo-Germanic' speech to the brotherhood of 'Indo-Germanic' speakers had once been taken, these Indo-Germans began to make their appearance with unflinching regularity in every work that pretended to be up to date. Then, somewhat gradually, in the spirit of the great innovator, time, a change began to come over the new epic. For though the entire excellence of this title of Indo-German was at once perceived and fully recognised within the bounds of the Fatherland, still inchoate but full of young life and vigour in those early days, it was not so kindly received across the Rhine, or to the east of the Vistula, or on the superior side of the Channel; and the propriety of looking out for a new name began to be felt on all sides.

It was discovered that the progeny of Fraülein Indica had been in the habit of calling themselves Arya,—that is, noble, respectable, proper, well-born, or, as we should say, gentlemen; and this, more especially when they desired to contrast themselves and their own sterling excellence with the general worthlessness of their enemies, the afore-mentioned Dasyus of the hundred cities, whom they called slaves, or low fellows, or blackskins,—as in a well-known Vedic verse,—again, as we should say, niggers.

Now it was at once seen that there was the making of a far better name than the somewhat invidious 'Indo-German'; or, rather, this was seen everywhere outside the Fatherland, where the older term is still steadily adhered to, with a certain bland wonder that anyone should find it unfitting or less than perfectly admirable. And thereupon all the old forefathers of the hamlet's progeny, all the speakers of 'Indo-Germanic' tongues, were turned into 'Aryans,'—excepting only such of the said

speakers as could be proved to have borrowed the said tongues so recently or so unskilfully as to be easily found out and made to stand and deliver. For at that time no one thought of suggesting that such shameless purloining of language might have taken place in the days of 'Indo-Germanic' unions; everyone felt that the ancient Aryans must be above suspicion.

And in this way 'the Aryans' increased and multiplied and subdued the earth, marching up the hill of fame, like the king of France in the nursery rhyme. They began to enjoy an unrivalled popularity in every work on philology, or philosophy, or anthropology that had any claim at all to reflect the latest wisdom of the time. We were met on every page by eulogies on the superiority of 'the Aryans', the excellent wisdom of 'the Aryans,' their unrivalled subjectivity, their high culture, their great civilisation and inherent rights to dominate all 'non-Aryan' peoples. We were even told, in all seriousness, that the 'Aryan' brain was not only of greater specific capacity than the cephalic content of the 'non-Aryan'; but that it further possessed the wonderful property of expanding and developing for several years, after the 'non-Aryan' cranium had reached a condition of hopeless rigidity.

Sometimes one felt greatly puzzled to account for these unmeasured encomiums addressed to 'the Aryans,' beloved of gods and men, 'until it became evident that a solution of this difficulty could be reached only by solving the problem precedent—who exactly 'the Aryans' were, on whom these high praises were lavished.

There were only broad generalities in these so-called 'Aryan' works on philology and philosophy; no quite precise and definite statements. Yet one began to read the enigma between the lines. It was clear that all the world was divided into 'Aryans' and 'everyone else'; and that, primarily, the better part, 'the Aryans,' were our own very worshipful selves. At first this was a little hard to credit. No one would willingly believe that the great 'Aryan' exegetics were really burning incense at their own shrines. Yet a thorough study of the works of the 'Indo-Germanic' and 'Aryan' periods leaves this conclusion really problematic. No doubt, we are 'the Aryans,' and wisdom will die with us.

The learned of the great Teutonic nation, in their large humility, went a little further. Always looking somewhat coldly on the title 'Aryan', they wrote, at most, 'Aryans or Indo-Germans'; more frequently still, 'Indo-Germans or Aryans'; oftenest of all, simply 'Indo-Germans,' in the good old style of the early days. In due time, one can hardly doubt, we should have come to Germano-Indians, with the distinct gloss that the Indians alluded to were the men of long ago, whose

laurels had turned to dust in the far-away Vedic days, while the Germans, the only genuine children of the Father Indo-Germanicus, were the Germans of to-day, the bays of Sadowa and Sedan still green about their brows.

The Teutonic philosophers do not insist on this; but they say it in their hearts with suave assurance; and their greatest modern hero went so far as to say, the other day, that this was divinely intended from the beginning; that Herr Gott had given his Germans an inherent superiority, so that they stood in a masculine relation to the other Indo-Germanic peoples, such feminine weaklings as the Kelts and Slaves. Was the octogenarian unconsciously quoting, by some far-off thought-reverberation, from early Indo-Germanic days, the famous Vedic hymn in praise of the Sky-lord: "Indra bestowed horses, he bestowed the sun, he bestowed the much-nourishing cow, he bestowed golden wealth; putting the enemy to confusion, he protected the Aryan colour?"

Clearly the appropriation of the skyey powers is a genuine 'Indo-Germanic' characteristic, yet one doubts whether the only authentic 'Aryans' of to-day would be so sincerely interested in milk. Or was the 'much-nourishing cow' merely a symbol, a solar-mythological synonym for malt and hops?

From this latest 'Aryan' utterance, it becomes clear that the earliest 'Indo-Germanic' seers were at fault in their prophetic insight; they were the victims of double, even multiple, vision. For there was evidently only one boy in the happy family, and the kindred of Master Germanicus were all girls.

Thus, as we have said, the 'Aryan Indo-German' marched up the hill of fame. Then, almost imperceptibly, came a period of transition and change. The hymns to the new chosen people, the god-beloved 'Aryans,' grew gradually weaker and fainter, less triumphantly self-confident. And to-day they have become so subdued that one may say they have ceased altogether; their echoes only linger in a few lectures and books, the fruit of studies initiated in a by-gone generation. Outside these rare survivals, all eulogy and encomium, all incense-burning at the 'Aryan' shrine, has come to an end; the 'Indo-Germanic' oracles are dumb.

This phenomenon of silence, like that former one of eloquent praise, was, in the words of the Chhândogya Upanishad, not without a root. And the root of it was this; people suddenly woke up to the fact that, though everyone had been talking about the 'Aryans', the 'Indo-Germans', nobody had any clear idea at all who those doughty heroes were. Even if the definition, 'the Aryans' are our worshipful selves; had won pienary acceptation, the case was hardly any better; for, in the halls of the Sorbonne, it was found to bear one meaning; among

the hills of Heidelberg, another, quite different, even quite irreconcilable; and, on the Cam and Isis, yet another. And thus, by tacit understanding, the trumpets of 'the Aryans' were blown no more.

How did it happen that 'the Indo-Germans' thus marched down the hill again, under cover of darkness and silence?

It was somewhat in this wise. A school of observers grew up who had, perhaps, never heard of the doughty 'Aryans,' or had listened only with half-hearkening ear; who were far more enamoured of mere outward investigation than of unrivalled subjectivity; who held Father Indicus and his spouse in light esteem. These mere outward observers began, among other activities, to look at the children of men with a more critical eye.

From looking, somewhat after the fashion of Celia and Oliver, they fell to measuring; from measuring, to examining colours of skin and sections of hair, average heights, and orbital indices; from examining, they fell to classifying the sons of men according to the results of their measurings. And they found, what one is very likely to find in most corners of this wide universe of ours, that there was all-embracing variety everywhere, a variety tempered by a wide uniformity. And, further, they discovered that this universal diversity in unity was so graduated that one could find, among the much measured children of men, certain great groups with broad resemblances between their members; and, within these, many lesser groups, whose affinities were more definite and complete. Quite regardless of 'Indo-Germanic' unity, of all the fruit of unrivalled subjectivity, they thus measured and mapped the peoples, pretty well all the way from Cape St. Vincent back to the Mahanadi Delta, and drew certain general statements from their results.

When these statements came to be examined, all men were constrained to confess, even the proudest scions of 'Indo-Germanic' purity, that outward observation showed very little in common with unrivalled subjectivity; nay, even put the work of unrivalled subjectivity to open confusion. The sacred land of the Aryans was broken up and delivered to all kinds of barbarian tribes. Even in Europe—the stronghold of 'our worshipful selves', and therefore most authentically 'Indo-Germanic'—they discovered not one, but at least four great races, with irreconcilable divergencies that had remained fixed and constant from a period long before the hour of destiny, 1500 B. C. And this diversity of the four races was found among the very 'Aryans' themselves, the guaranteed offspring of the happy valley, after all interloping tribes, such as Lapps and Finns, Basques and Huns, Jews, Turks, and infidels, who had never had any claim to 'Indo-Germanic' election, had been set aside.

They found, as we have said, at least four distinct races among the god-beloved 'Aryans' of Europe. There was first a race of golden-haired, blue-eyed giants, whose proper home was Scandinavia and the Baltic shores. And from this race, they discovered, was chiefly drawn the Teutonic nobility.

Here, one would have thought, were the authentic 'Aryans' beyond all doubt, the true warrant for that heroic octogenarian asserter of Germanic masculinity. But unhappily it was found that these same long-skulled giants had hovered round the Baltic long before Father Indicus was born; and certain other discoveries, as to their habit of dispensing with cookery, their predilection for shell-fish, and even, it is whispered, anthropophagous affinities, cast the graves' doubts on their claim to represent the newer chosen people.

This discovery as to these golden-haired raw-eaters was received somewhat coldly in the Fatherland, until a way out of the difficulty began to appear. For the outward observers had declared the unity of the great Central European race, a fair-haired or even red-headed people, with grey or brown eyes, who stretched across the middle of the continent, somewhat regardless of linguistic proprieties; for they embraced many of the Slave as well as the Saxons and Gaels,—a whole range of people, who had long been wont to proclaim their antagonism, and superiority over each other.

Not quite so confidently this time, the brown-haired, grey-eyed race was declared to be genuinely 'Aryan'; but ill luck again somewhat ruthlessly supervened. This round-headed, short-skulled people, with their moderate height, somewhat upturned noses, and eyes not always guiltless of obliquity were more and more clearly perceived to bear a fairly close relationship with—one hesitates to say it—with the Mongol and Mongoloid peoples, beginning with the Finns and races of the Volga, and ending with the heathen Chinese! what possible right could these almost avowedly sub-mongoloid peoples have to authentic 'Indo-Germanity'?

Then another great race, in the south and extreme west; very dark, with black hair and eyes. Though their skulls are about the same length, they have much weaker jaws and narrower faces than the Baltic giants, from whom their dark colour and lesser stature seem to separate them quite finally. On the lower Severn, these dark people are called Silurians; in the west of Ireland, they have no very determinate designation; in Spain and Sicily, they begin to distinctly show African affinities, relationship with the races who were once called Hamitic, and who, therefore, can have no affinity at all with the god-born Aryans. Indeed their 'Indo-Germanic' claims have hardly been mooted, perhaps because the science of enlightened ethnology has as yet made little progress among the Welsh hills,

the wilds of Connemara, and the out-of-the-way corners of Portugal Sicily and Spain.

So we come to the last of the four races; those whom people have called Auvergnats or Ligurians, but who still, like the other three, are distinctly in want of a purely ethnical name. Like the Silurians, they are dark, and of small stature, but, unlike them, they have very short, round skulls and orbits; this shows a certain approach to the Central European type, from which, however, they are clearly separated by colour and stature.

An excellent ethnologist has found the first race personified in the Court of Zachdarm, 'cognomine Magnus, quidam sub luna agebat, quinquies mille perdices plumbo confecit;' and an evident type of the second in Professor Teufelsdröckh, whose 'excellent passivity' is no bad imitation of that 'unrivalled Indo-Germanic' subjectivity of which so much used to be said. We should be greatly inclined to nominate, as representatives of the two other races, Don Quixote and Tartarin de Tarascon, were it not that we fear the reproach of a mythopoeia even worse than any that can be laid to the charge of "the united Aryans."

The students who hold to this division proudly claim that it is greatly to be relied on, as the work of simple outwardness and observation, and not of unrivalled subjectivity at all. If it be at all like the truth, as the work of simple outwardness well may, the claims of 'Aryan unity' must sink to rest, falling away into darkness and night; and we must regretfully part with that fair picture that the 'Indo-Germanic' seers beheld of old in the white cloud of steam.

There must be another leave-taking of the children of that happy valley—no longer on the part of Father Indicus and his spouse Germanica. This time it is we ourselves who must bid farewell to the one undoubted boy Germanicus, and to his sisters and sometime brothers, Hellenica, Italica, and the rest.

If the Europeans scarcely be Aryanised, where shall the Iranian and Indian appear? Yet there is a hope, albeit a faint one, in the face of this but too evident diversity among the Aryans; for, perhaps, like the faithful wife of a far-voyaging sailor of Bristol, the Indo-Germanic Fore-Mother bore children of different colours by turns; children whose varying Mongoloid; African, even Anthropophagous affinities left little to be desired in the field of ethnic diversity, though much, perchance, in the domain of patriarchal respectability.

But this theory, our last ray of hope, even Father Indicus—or perhaps most of all Father Indicus—will reject with scorn; so we must, with an unwilling willingness, resign ourselves to the truth that 'Aryan, Indo-Germanic unity' is a dream of the

glorious past; that Hamitic and Mongoloid affinities have won the day. There are 'Aryan' languages, as a valued authority declares, but there are no 'Aryan' peoples. The wild jump from kinship of speech to kinship of blood should never have been made; would, indeed, never have been made, had not the Teutonic kettle boiled over at the very moment of all others when clouds of steam were most dangerous.

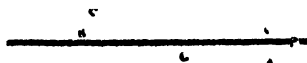
Thus the 'Indo-Germanic' myth and forty-thousand ingenious theories marched up the hill, only to march down again, in silence and darkness. Born of unrivalled subjectivity, it has faded away before mere outwardness and observation.

Would we be justified in drawing from this veridical history the conclusion that very much of what in its day passes for irreproachable science is really nothing more than the sheerest myth-making—lauter Mythen-Dichtung, as they say in the 'Indo-Germanic' school?

On the contrary, it seems to us that the true moral of the story is this: that other peoples' kettles may not boil over, simply because they are cold; and therefore quite useless for the decoction of such mental beverages as warm the unrivalled subjectivity of 'Indo-Germanic' man.

CHARLES JOHNSTON,
B. C. S. (Retd.)
M. R. A. S.

(To be continued.)



ART. II.—RECOLLECTIONS OF AN INDIAN CIVILIAN.

BY HENRY GEORGE KEENE, C. I. E., M. A., OXON.

CHAPTER IX.

1879—1882.

(Concluded from No. 204, April 1896).

SO ended my incumbency at Agra, without any great event; an honest instalment of average human life in its mingled gloom and brightness, bringing me nearer to the end of my Indian service, with no loss of reputation, perhaps, but with steadily diminishing hopes of prosperity. One of the last public events in which I took part before leaving Agra, was the dinner given at the Club to General Ulysses Grant, ex-President of the United States, where he came attended by Mrs. Grant and a numerous suite of distinguished Americans. At the request of the Committee, I took the chair. There were about one hundred persons present, including His Highness the Maharana of Dholpore; and the illustrious guest of the evening was obliged—must against his will—to address the Company in a speech, replying to one in which I had to propose his health. As we parted, he told me that he hoped to see me some day in his own country. “And if you come to the States, Judge, I’ll put you through,” he was kind enough to say. “But,” he added, “I’ll tell you what I will not do, and that is, embarrass you by making speeches.”

I found that my taking the chair at this dinner had given great umbrage at Head-quarters, where it was considered that I had taken undue precedence of the Commissioner. I had not intended offence, not being even aware that the Commissioner wished to preside; and the whole thing seemed to show that the new L. G. was as adverse to me as any of his predecessors. My prospects of promotion, therefore, appearing to be closed, I began to think it would be better to apply for a vacancy in a place where the extremes of climate were less severe than at Agra, and where the Hill-sanitaria were nearer. I might then pass the few years of service left me, without trying my strength and without long and ever-recurring separations from my wife and family. Agra has never been a Station of exceptional unwholesomeness; but there are few places in the world where the thermometer ranges more widely. I have seen 105 degrees of Fahrenheit, in my wife’s room at 11 P. M., and a few months later there has been

frost on the ground, and men driving in top-coats in the middle of the day.

I accordingly applied for a transfer to Meerut or Saharanpore, when either of those more northerly Judgeships should be vacant. In the meantime (March 1879), I visited Allahabad for the opening of the Memorial Hall, lately erected there as a monument to the murdered Mayo. I was requested by the Committee to compose an inscription to be put over the main entrance, and also to write an ode to be sung at the inaugural ceremony, the music selected being that of Rossini's famous composition from *Mosé in Egitto*, usually sung to the words "sul tuo stellato soglio." There was a large and brilliant assembly, and the opening speech by Lord Lytton was as effective and thoughtful as all his public orations. My ode was sung by an amateur chorus of all the best and most cultivated gentlemen and lady singers of that part of India, and it ran as follows :—

" On thee, great Shade ! we call—
Unseen, though still at hand—
To consecrate this Hall
In Thine adopted land :
Long may that honoured name
Bestow its favouring fanie,
Mayo !

" While Jumna's water pours
Her tribute to the sea,
Still may these votive towers
Proclaim our love for thee;
Thy noble life laid low
By treason's felon blow,
Mayo !

" For thou wert of the few
Who conquer Destiny ;
Brave, merciful, and true,
All that a chief should be ;
Hail to the mighty dead
Whose life for us was sped,
Mayo ! "

I fear the lines were not above the low-water level of occasional, but the effect of the singing was good, accompanied by an admirably touched organ that answered their purpose, and pealed along the painted rafters of the Hall in a sufficiently impressive manner.

In due course the transfer to Meerut was effected ; and I left Agra, the scene of so many blighted hopes, secure in the promise of a First Grade Judgeship, which Lord Lytton had obtained for me from the local Government. From financial causes, the creation of this post was expected to be a matter of time, but there was good reason to hope that it would

come to me before the expiry of my thirty-fifth year of service, when, by a rule introduced after the mutiny, senior officers retired, to cause a flow of promotion in the ranks below.

Before leaving Agra, I had the gratification of receiving a spontaneous and unanimous address from the local Bar, expressed in terms far more complimentary than I thought my

* "Your ever courteous manner towards the members of the profession has won for you the esteem of all. It would be out of place for us to commend the zeal and earnestness with which you have discharged the duties of your office; but we may be permitted to say that . . . the people of this city, and, indeed, of its whole neighbourhood, have reason to be indebted to you for the labour and research which you have bestowed upon the history and archæology of the place."

just due; but I may, without immodesty, cite the sentences condensed upon the margin, as showing that one from whom nothing was to be hoped or feared, was deemed not undeserving of a kind farewell. * The address, which is one of my most valued possessions, bears the signatures, English or Persian, of four and twenty advocates.

It was in the month of April 1879 that I departed for Meerut, followed, in spite of the heat, by many native friends who testified, by bearing me company for a portion of my journey, that it is not difficult for an alien official to kindle genuine kindness in Asiatic hearts. I parted from them at the Tundla Station with genuine regret and sincere good wishes for their future welfare. The short remnant of my public life was to be passed in scenes where I was less known, and amongst people in whom I could not feel an equal interest.

About this time the gentleman who had done so much to frustrate my chances of success, left India, after filling some of the very highest posts, and our warfare was accomplished. In private we had for the most part been on civil terms, but there was about him an atmosphere in which it was hard to breathe freely; and he doubtless found the same with me. I once heard an officer of great ability put the matter neatly, and though by no means his equal otherwise, I was here in entire accordance. He said:—"I do not think Sir——has much opinion of me"; and I am afraid that I return the compliment." Our differences, as has been seen, were of old standing, caused by irreconcilable habits and principles. Peace be to him! Since returning to Europe, he has continued to prosper, "going in," as has been said, "for both worlds." He may have improved by age; if men do not get worse as they grow old, they often become wiser. While in India,

he was always useful when properly inspired, usually failing when left to himself. It was characteristic of him that, on the subject of the local land revenue, he was pronounced "the greatest living authority" by those who found his views on that very subject vague, erroneous, and ultimately confuted by the logic of events.

Another doctrine which this official, when in power amongst us, was particularly prone to push to extremes, was that female infanticide among the Hindus was a cruel and wicked custom, which it was the duty of British rulers to destroy by attacking the expenses of Hindu weddings. Now, there is no doubt that some of the purer and more manly races of Hindus have inherited, from their ancestors, this unsocial custom, while inferior tribes have been led to adopt it because they think it fashionable and aristocratic. The Rajput practice admits of easy explanation; and its adoption by lower classes is probably only a symptom of the common human weakness that leads people to imitate the doings of their superiors. In the former case, the practice, common to all primitive peoples, has been strengthened by pride of race, which makes high-caste men refuse to let their daughters marry persons of lower status, while tribal customs render them sisters to the young men of their own rank, and so deprive them of all hope of marriage, unless their parents can pay down a dowry sufficient to produce bridegrooms of a still higher clan. To translate this into familiar language, it is as if the Baronets of Britain had a rule that their daughters must not marry untitled husbands; or, if, in old Scottish society, it had been held that, while a Macpherson could not marry a Macpherson, without being taxed with incest, she could not take a Lowlander on pain of social degradation. Sooner than have a flock of single women on his hands, a father so situated takes the easier step of not rearing his girl babes. It was hardly a crime, because not considered criminal by those among whom it prevailed. This was represented to the officials of pre-scientific days in India as infanticide caused by marriage expenses; instead of what it really was, a habit arising out of a dread of the incumbrance of a family consisting largely of unprofitable members. And a man like him whom I have named "the Deductive," never abandoned a doctrine that he had once learned from his official seniors and superiors.

The following rough recollection of a trial in the Sessions Court of Muttra will serve to illustrate the difficulties of the Western administrator dealing with an Eastern disorder. I should premise that, when the plan of curtailing marriage expenses was tried, it proved a complete failure; the heads of Rajput society were convened, harangued, and made to

promise reform: weddings were, perhaps, celebrated—for a time—with less extravagance, but the little girls continued to disappear, stifled painlessly at birth no doubt, and with births usually unrecorded. It was then attempted, by some zealous reformers, to make the village watchman report every birth and visit the family from time to time, to see how the infant life prospered, but the vulgar atrocity of such a scheme soon brought it to nought. Our Deductive L. G. then hit upon another plan, which may be called "Moral Reform by tabular return," and which certainly showed great faith in statistics. There was to be a periodical count of babies, village by village: wherever there was found a marked disproportion between the numbers of the sexes, penal police measures would be ordered; and the name of such a village would be entered on a "black list." When a female infant died in one of the villages on that list, and it was presumed that it had been murdered, the family would be proceeded against, and the burden would rest upon the parents of proving their innocence by showing that the child had died a natural death. In the case to which I am now going to refer, the mother made a stout and well-reasoned defence. She produced witnesses who deposed that the child was born when she had fever, that the village medicine-man had been called in, that, when her supply of milk failed, efforts were made to keep the infant alive by feeding it with the milk of cows and goats; and, lastly, that many females had been reared in the family, of whom some were, indeed, forthcoming. The man who practised in the village, a sort of respectable herbalist, was one of the witnesses for the defence: on the other side, the prosecution called attention to the record of the Magistrate, containing the fact that the village was on the list, and the testimony of the Civil Surgeon, who had made a *post mortem* examination of the infant body. I felt so far from justified, that I summoned this Officer, and subjected him to re-examination, as a Sessions Judge is always at liberty to do when he desires to extend the medical evidence taken before the committing officer, though the record of that evidence is made lawful matter by special enactment in ordinary cases. Causing the depositions recorded before me to be read to the Doctor, I proceeded to inquire whether there was anything in the statements so made, which was incompatible with the symptoms disclosed in the autopsy made by himself? He said, No; the child had died of inanition, but the symptoms might have been due to improper food, as well as to food insufficient in quantity: all that he could say was that food had not been absorbed and assimilated. I then explained this evidence to the Assessors (who did not understand English),

asking "if they had any other questions to suggest. They answered that they had not, being, indeed, satisfied all along that the mother had never intended to cause her child's death. "Your Honour should know," they added, "that this family belongs to an endogamous clan, and is in no sort of difficulty to obtain husbands for their daughters: why, then, should they kill them?" The prosecution had no answer; it could only "be urged that the case had been committed because the death of the child had occurred in a proscribed village. But this was readily explained, as it was at once shown that the village had been put on the list on account of the evil reputation of another tribe, and that this family belonged to some later settlers, who were free from all suspicion. I consequently, concurring with the Assessors, found the poor woman not guilty. But she left the court, bowed in health and spirit, so that the Doctor himself noticed the change in her condition. It can only be hoped that, as knowledge advances, Anglo-Indians will learn how much caution is demanded when foreigners attempt to control the domestic life of a backward people.

With these feelings, I had never been able to sympathise with the well-meaning efforts for the "abolition of this cruel practice:" in other words, for inducing the middle-class Hindus to allow their daughters to grow up by taking engagements from the heads of their communities to celebrate weddings in an inexpensive style. The real difficulty with these poor creatures was—so far, at least, as their girls went—to have any weddings at all. I thought that time and an improved social system might do something; and that, of course, the law must strike on just occasion; but I did not think that an old custom, founded on stern considerations of interest, could be abolished in a day, without creating greater evils.

I have already mentioned some of the other matters as to which we had differed—tenant-rights, permanent-settlements, and female education—and it has been mentioned that, on the latter subject, Sir Sayad Ahmad showed —'s ideas to be premature, if not utterly impracticable. So we went on through many years of antagonism, in which he always prospered, in spite of his many mistakes; and I only allow myself to say as much as I do now for two reasons. I think it can do nothing but good to show how easily a virtuous and industrious man may do harm if he allows himself to be influenced by unreasoning prejudices; and I deem myself entitled to show that, if I have not done as much in life as I might have done, I have had a long and unequal struggle with a man who was much my senior, and in many respects my superior, and who thought that, in acting and speaking against me, he was doing good service.

Well, at last he was gone; but too late to help me. "The evil that men do lives after them," in a bureaucracy; and my course was determined. Of the next L. G. I need say no more than that he had it in his power to create the First Grade Judgeship, a prize greatly needed for the encouragement of District Judges; and that Lord Lytton had obtained from him a promise that the first vacancy should be offered to me. In the meanwhile, I was settling very comfortably at Meerut, and obtained three months' "privilege leave" to Mussoorie, where my family were spending the hot weather. In July, however, this pleasant holiday came to an end, and I descended to the plains, where the rest of the year passed by in making acquaintance with the place and people. The military society was particularly pleasant, comprising the 15th Hussars and a battalion of the 60th Rifles—now known as "The King's Royal Rifles," if that be any improvement.

The Cabul war was then at its height,* and in December the Ex-Amir, Yakub Khán, was brought to Meerut, as a State prisoner. He was under charge of a political officer with whom I was acquainted, and was assigned quarters in the fine building which had once been the Mess House of the Bengal Artillery. The fallen potentate proved affable, though not—I should judge—possessed of much intelligence or energy. There had been a time when he was generally thought the most distinguished of living Asiatics; if he had ever really deserved that reputation, long imprisonment and his father's ill-treatment must have broken him down. He spoke a little English, and took a fancy to my boy, Frank, who used to help him with his lessons. It seemed droll to see a middle-aged monarch engaged with a spelling-book; and, in the intervals of these studies, the fallen chief could give expression to very truculent feelings. He has long ago removed to Mussoorie, where the climate is doubtless more congenial to mountaineers than Meerut could have ever been.

As to official life at Meerut, it was easy enough. There were two resident European Barristers and some very good pleaders; and I organised a couple of chambers for the former and a library, where all the Bar could meet. There was one outlying District, that of Bulandshahr, where I had once held sway for two years; now greatly glorified, since those days, by the tasteful energy of Mr. Growse. Under recent and very proper arrangements of the High Court, the District Judges had now to hold a sort of Civil circuit, not only visiting any District where they had Session duty, but also inspecting the Subordinate Civil Courts, scrutinising their registers and deposit accounts, and reporting on the state of the administra-

* See Trotter, II, p. 403.

tion generally. This added to our labour, but at the same time made it more active and interesting, besides infusing vitality into the local courts, encouraging good subordinates, and stimulating any who were inclined to take things too easily. The people are understood to dislike the Civil Courts; but I do not think their unpopularity is due to easily avoidable causes; and I believe the native judiciary to be an excellent class of officials. In the Meerut Judgeship, generally, their court-houses were very incommodious, in spite of urgent representations. I hope all has been since rectified.

My diary for 1880 commences in anything but a tone of confidence. The new year opened disastrously with a small conflagration in the drawing-room, while we were at dinner in the next apartment. True, it might have been far worse; for we suffered little damage beyond a sound frightening, some injury to the carpet, and the destruction of some drapery, including four yards of very fine point-lace that had been in the family for a hundred years.

During the winter, we had a visit from a much-valued friend, the Ven. J. Baly, the Archdeacon of Calcutta, and engaged in forming school-boards for the instruction of Christian children, an increasing class for whom no adequate provision then existed. I also enjoyed the society of a very able officer, who had been on Lord Northbrook's staff, and who let me into some of the clique-life of Simla. It was, he said, the fixed principle of the members of that set that the people of India never knew what was good for them; "we" (that is, the Simla officials) "were to show what was really required and to press it upon them." He called my ancient Deductive "India's evil genius;" Lord N. had resisted the influence of him and his like, but the present Viceroy was in danger of succumbing, being more clever than able, and prone to leave to others all work that did not happen to interest him personally. In connection with these revelations—of which I made a note at the time—let me add the following words from Sainte Beuve:—

"The greatest crime in the eyes of every clique and every party is *not to belong to it*. To remain aloof and independent, especially if you have drawn at all near, is to be held an enemy and almost a traitor. . . . It is enough to make the leaders, even if they have no personal spite against you, feel that they are at liberty to treat you without scruple and without justice."

In June Lord Lytton made over charge of his high office to the Marquis of Ripon. The rest of the year passed quietly; my family went to Kasauli, a small health resort on the way to Simla; and I remained at Meerut, an honorary member of the Mess of the Royal Artillery, where I had the use of a good

library of reference. I was elected Chairman of the Wheler Club, where I set on foot various reforms; and I wrote a little for the *Pioneer*, and also for the *Calcutta Review*. The latter part of September was very wet; on the 17th of that month nine inches of rain fell in less than twenty-four hours: the next day was almost equally rainy; the open drain of Meerut—known as “Abu Nala”—would no longer work, and overflowed the streets; the roofs of the houses failed to keep out the storm; in one that some friends of ours occupied, the drawing-room ceiling came down without warning. We did not know that the day was being darkened by a more tragic catastrophe in the Kumaon Hills. The lovely Naini, the summer-capital of the province that clings to the sides of the mountain-basin, at whose foot lies the still lake, was associated in all our thoughts with memories of happy hours of pleasure or anticipations of repose; and it was here that the sudden havoc fell, all the more terrible because of this contrast. About one o'clock in the afternoon, some workmen were engaged in diverting an overflow channel that ran down the north-east side under the Lieutenant-Governor's house, when, in a moment, with an awful uproar, the whole face of the slope came down in a vast wave of shale and rock, carrying before it the workmen and two officers,* by whom they were being directed; as also the interposed walls, trees, houses, gardens; the whole of a crowded hotel; a solid masonry building, once a racquet-court, and now full of wine and provisions, millinery and milliners; and carrying into the agitated bosom of the lake a grove of willows, a solid Hindu Temple, and the whole block of Assembly rooms and library that had long been a public resort on the water's edge. In less than a minute nothing was left in the path of the avalanche, but a wide and ghastly scar: the loss of life was estimated at two hundred.

In youth we expect everything good from change; after the middle of life we learn—if we are at all capable of instruction—that there is nothing like making the best of what we have. For many years I had been fretting to return to Europe, and join in the literary life of London; but now I began to have sad moments as I thought of leaving the land that I had known so long, and the duty that I was just beginning to understand thoroughly. In the summer of 1881, my family being again at Kasauli, I resolved to pay a short visit to Simla as the guest of Dr. Whitley Stokes, Legal Member of the Viceroy's Council, and better known to the world at large as a distinguished Celtic scholar. Believing that the local Lieutenant-Governor would do nothing for my behalf, or that the Trades' Union at Allahabad would never let him, I endeavoured to make sure

* Messrs. L. Taylor and Noad.

of support with the Government of India. On the 7th of June Lord Ripon kindly accorded me an interview, at which I laid the case before him; pointing out the reasons which rendered it an object of almost vital importance for me to remain a little longer in the service; that I had been promised the first grade so soon as it could be created, which must now be very soon; and that it must, virtually, rest with him whether I could remain long enough to secure the necessary promotion, by which a prolongation of service would be necessarily created. "You will otherwise be retired in October 1882?" asked the Viceroy, and I replied, "Yes, unless your Lordship will either apply to the Secretary of State for a few months' extension, or say a word to accelerate the action of the local Government." His reply was not discouraging: he had heard of the case before; had already seen the papers sent to his Private Secretary in connection with the matter; and would give it his favourable consideration.

On the 3rd of October I went for the end of the long vacation to Kasauli, where I had the pleasure to find all well. But anxieties were thickening around us. Less than a twelve-month now remained before the fatal day when, unless the Lieutenant-Governor should be pleased to create the first-grade for me, I should have to leave the service under the thirty-five years' rule. My family had long been large and costly; and I was in no position to provide for them without an official salary. Everything depended on a man, once my friend, who had long shown a character hardened by success, and on whose sense of justice little reliance was to be placed. In April, however, he departed, and his successor proved to be a very different man intellectually and otherwise, one who owed his advance to his own singular abilities, and who has continued, since his return to Europe, to fill a considerable space in the temple of Fame.

A case lodged in the Sub-judge's Court[†] in the autumn of 1881 excited a good deal of interest in India: it arose out of a racing dispute, in the course of which a Mr. K. M. sued Lord William B—for defamation of character by words uttered in a "Lottery" meeting at the Club. Lord William was Military Secretary to the Viceroy, and a popular member of society; and I was not sorry that the trial should be heard in another Court than mine, especially as he (Lord W.) was a friend of my own, and I thought him in the wrong. After a good deal of argument, in which Calcutta lawyers took part on either side, the Court came to a decision which reflected highly on the wisdom and firmness of the Hindu gentleman who presided. Mr. M., the plaintiff, tendering himself as a witness, deposed that he was not a professional horse-trainer, that he was

merely a private gentleman keeping a few horses for his own amusement. The Court held that, this being so, the words spoken by the defendant, however rash and baseless, were not defamation, being only calculated to injure a professional. Damages were accordingly refused; but, on the other hand, the defendant must pay the costs of a suit which need not have been brought had he been more circumspect. This decision was supported in a long written judgment, in which both parties acquiesced.

Sir Alfred Lyall, K. C. B., assumed charge of the Provinces in April 1882; and I felt that I had at last a chance of fair and sympathetic treatment. He held out hopes of an early arrangement for creating the new grade; and in the meanwhile promised to forward, with a favourable endorsement, the recommendation of the High Court that I should have an extension of six months, which was all that could be possibly requisite. In the meantime, as my health had suffered at Meerut, I obtained the favour of being transferred to Saharanpore, where I had an opportunity of re-visiting the Doon and adjoining health resorts, which had been my home for six years at the outset, long ago. My family took refuge from the heat at Mussoorie, where I was able to pay them short visits from time to time, as the Doon was the outlying District to which the Judge of Saharanpore went for circuit duty.

On the 8th of May, the local Government's letter to the Government of India went to Simla; and I wrote at the same time to the Viceroy's Private Secretary to beg him to recall to his Excellency's recollection the promise of favourable consideration which he had kindly given the year before. But on the 28th of the ensuing month the last hope was disposed of by that gentleman's reply. His Excellency, I was informed, did not see his way to intervening in my behalf, so as to expedite the creation of the First Grade. The other question was not, indeed, for the moment, referred to; but I soon learned from other quarters that the Government of India shrank from any further recommendations of extension of period to "covenanted" officers. Some of the juniors had been complaining so far that one or two members of the House of Commons had taken up the matter; and thus it happened that my case was the first to be affected by the new scruples. I had entered the service under a covenant from the Company; but this, so far from being a ground of adverse action, ought, of course, to have operated in my favour. For the thirty-five years' rule was no part of that covenant, or of the written or customary rules of the service; and all who joined before the Mutiny were equitably entitled to the benefit of the original regulations. But to enforce such rights, we should have had to obtain

injunctions in Chancery, and we were pledged never to sue our employers!

Accordingly I was sacrificed, in spite of the support of my own immediate superiors; and I made over charge as the clock struck 12 at noon on the 3rd October. A short time before had appeared the final Resolution of Government on the poor old Mozafarnagar Settlement.* Had it been accorded within a reasonable time, it might have been of some use. Coming twenty years after the receipt of my report, it was an idle compliment. Three months after I had been driven out, the First Grade was created, and given to a man of no special claims, who duly obtained an extension as holding a new post. At the same time I was gazetted a Companion of the Indian Empire.

CONCLUSION.

On looking back at this record, one hardly dares to hope that it will have power to please. Probably, the first impulse of nine out of ten, if one should have so many readers, will be to ask, why such an unsuccessful life should be related? To such a question only one apology can be offered. Success is a relative term: a boy who throws a stone at an apple so that it falls to the ground, and gets into his pocket, may go home with a sense of success, while his father, missing a pheasant with a fifty guinea breech-loader, must acknowledge failure. The point of my story, if point it is to have, must be that a man of ordinary powers, with a little "poetry" in his nature, can obtain from life the realisation of any reasonable wishes that he may form at starting. And, in using the word "poetry," I would not be understood to mean the gift claimed by incompetent dreamers whose only title to be called poets is that they cannot write prose! I mean youngsters, whose outfit includes a certain tenderness of fibre and excitability of imagination which, though it may never amount to a world-kindling, prophesy-giving inspiration, will yet keep them buoyant. Sainte Beuve has told us that in such cases the man survives the dead poet: yet the same subtle critic shows elsewhere that he knew that the poets would not all die. "There are men," he tells us in his essay on Michaud, "who have not enough poetry in them to express it by their skill, or to display it in their very youth; yet this little grain of poetry is not wholly lost. It is like a broken scent-bottle; the spilt essence spreads over the whole substance of the mind, and leaves upon it a faint perfume. Such men long remain young; and are found fresh and inquisitive, agreeable and no wise soured in old age."

* Observation of Government on the care and discrimination with which Messrs. Keene and Colvin worked, and the excellence of the results obtained."—G. R., 7th April, 1882.

Only such men should start in life with clear intentions and a proper ideal of attainment, framed in due proportion to a true estimate of their powers. And it may not be harsh to notice that by intentions and ideals, we must mean more than those gentle aspirations called in French *vellétés*, those feeble, Platonic desires that haunt the brains of romantic lads,—

“The spirit of the years to come
Yearning to mix itself with life.”

However modest be the sense of ability and the corresponding plans, they should be firm and resolute; however coloured by what I here call “poetry,” they must be clear and practical. Now, in the present case, the scheme was neither unreasonable in itself, nor wholly out of proportion to one’s means. Had I started with the ambition to become a great lawyer or a distinguished statesman, I might be justly taxed with well-merited failure. But it would perhaps have led to very little disappointment to have started in life with the desire to become a school-master, a solicitor, or even a mild sort of journalist. The mistake lay in not forming my plan with sufficient clearness, or carrying it out with sufficient determination. When I ventured on the responsibility of refusing the opening offered me at Oxford, I was not altogether in the wrong. Only, when one had taken one’s destiny into one’s own wilful hands, it would have been wiser to do all that one could to complete the shaping of it. One ought to have resolved, in entering upon an Indian career, to pursue it in one of two distinct ways. Without cherishing any ambition of a kind beyond one’s power, one might have fairly proposed to render oneself useful by unquestioning acceptance of all the doctrines and devices of superior authority, and by giving up one’s entire nature, spirit, soul, and body to carrying them out. Or, if this were deemed too great a sacrifice, there was the alternative of blameless, perfunctory, mechanical discharge of unavoidable duty, with a life of self-denial and frugality, and a saving of half one’s pay.

Nevertheless, it may be claimed that, after all due deduction has been made, such an Indian life as has been here briefly related was by no means without its consolations. If the young men who now undertake the various employments that India offers, will take advice from one who has had no small experience, they will make up their minds to find as much happiness as they deserve, to value material prosperity at its proper price, and to recognise the truth that an indispensable part of that price must be the formation and pursuit of a deliberate, insatiable purpose.

“Those who will show themselves either bolder or more devoted to the interests of the people must be destroyed, or

gained at any price. If any party-leaders are found in the Provinces, they must be exterminated, but without recourse to ordinary justice. Let poison do the work." So said Fra Paolo, or Sarpi, the excommunicated Servite, and anti-papal historian of the Council of Trent, whom the papalists attempted to assassinate (1607). Is it a strained analogy to apply his irony to any bureaucracy which destroys, by the poison of misrepresentation, those whom it considers the men of irreconcilable opinions who can be bought?

Or, perhaps, these men too had their price, if the government had been willing to pay it. But they could only be bought by the surrender of selfish politics, and by the adoption of a sincere care for the people.

But that is a price that rulers are seldom willing to pay. The earnest reformer will be of no clique; and the greatest offence against any clique is—not belonging to it. The lives of such men must, as Fra Paolo said, be wrecked, because their existence is a standing obstacle and reproach.

Ah! my brothers, it is for this reason, then, that you wear your masks, and strive to preserve your lives by an affectation of levity that plays your enemies' game.

Autobiography must needs be egotistic; but the writer of these pages is too old to care much for that reproach: if he did, he would not have penned them. Perhaps, after all, a man is not the best judge of his own character, any more than he is of his own cause. Let us end, then, with seeing how it struck a brilliant outsider in 1880, just after Lord Lytton had retired, and when Mr. Aberigh Mackay was delighting two Continents with graceful wit. The following portrait appeared in *Vanity Fair*, in November 1880, not long before the premature death of the accomplished author. Most of the quotations are from a volume of verse that I had then lately published, under the title of "Peepul Leaves." The portrait is obviously idealised, but it deserves to be preserved, if not on account of the subject, yet still by reason of the astonishing grace and lightness of the paint:—

ONE DAY IN INDIA.

By SIR ALI BABA, K.C.B.

THE JUDGE.

"Yes! he returns—Lyæus is so strong—
To that Greek worship he was taught at school,
Muses and Graces! dance ye to his song,
Smile Phœbus! kiss him, zephyr, soft and cool!"

HE was not dissolved in keys at a crammer's and squirted through a competitive examination. As a boy he went to school in the old-fashioned way, and received some education; afterwards he entered India, like an heir of the house, through the front door of Haileybury. He quite regards India as his legitimate inheritance, and the people

of India as villains regardant, *adscripti globæ*. His attitude towards the people is strictly feudal; he is to them the grand seigneur. He will protect them, and punish them; but he will have nothing in common with them; he can only regard them *de haut en bas*; in the course of his duty he may have to sentence them to transportation or death, still there must be no familiarities. To him a native, though anatomically human and sufficient for ancient history and crime, does not appear a person deserving of any right of way beyond the extreme barrier of courtesies. Amid the cobwebs of duplicity and greed, there may be the dim radiance of some divine spark; but the Judge does not stoop to that close scrutiny required to perceive it.

The Judge is not one to peer into unpleasant places; he likes to keep two centuries between himself and the black man. Mr. Justice West, the Coryphæus of Codification, takes up a parable of tabor and dancing feet that entrance the Moslem of to-day; but Rupmati, of long-ruined Mandu, has a deeper interest for Mr. Justice North-West, the Coryphæus of the Taj. Ah! happy Justice, I often wish I could fade so far away from the present world, "dissolve and quite forget what thou among the *peepul* leaves hast never known, the weariness, the fever," &c.

But though far away from the dulness and fret of our world, the Judge is present in all its gaiety and music. He is conspicuously present, clad in black velvet and soft phrases, bright neckties and jests. Three hill stations claim him as their own; and his *bon mots* are diffused over the entire basin of the Ganges, from Dehra-Dun to "where boon Bhagirathi comes broadening down from her cradle of snow."

As a *raconteur* the Judge stands alone; Anglo-India sits at his feet rapt; the Globe-trotter opens his note-book and marks down "a very remarkable man." The languor of the East has not entered his soul. He has fed himself upon epigrams and sublimated his thoughts with lyric poetry; he has lived like a chameleon, until everything that is bright in nature has become a part of him. "With thy clear joyance keen, languor cannot be; shadow of annoyance never came near thee;" or, if it did, thou didst transfer it immediately to some dear friend, amid profuse expressions of regard and esteem. When the little world of Anglo-India has narrowed round the Judge's heart, he has cut the stay-laces and enlarged himself in history, until a hundred generations of men could hardly hold him. He has breathed the cool winds of the Turcoman steppes; the Arabian desert has expanded his spirit; he has nestled himself to sleep amidst the luxuries of imperial seraglios like a rose embowered in its own green leaves.

As a cicerone, surrounded by the ruins of Moghul greatness, the whole world of tourists must think of the Judge with wonder and gratitude. While the pictorial words distill from his lips, temple and tower are restored, audience-chamber and courtyard are once more peopled with stately Princes and golden Embassies. Accordingly the Judge is the great depository of letters of introduction. Sight-seers percolate through the Governors of Bombay and Madras, the Lieutenant-Governors of the Punjab, North-West, Bengal, through the Great Ornamental himself to the Common Guide, Philosopher, and Friend.

When he is on the hills, the severity of the Justice and Historian relaxes in the airy fairness of the Poet: even the caustic wit of the man of the world cools down into humour and compliment. "Smile Phœbus; kiss him, zephyr, soft and cool."

"Cool!" echoes little Mrs. Lollipop—slangy little Mrs. Lollipop, who *will* look over my shoulder as I write: "cool—let him alone for that." Yet his feelings are warm; and from warm feelings, surcharged

RECOLLECTIONS OF AN INDIAN CIVILIAN.

with a desire to please, flashes forth flattery, lighting up pale faces into crimson blushes and drowsy eyes into lurid brightness. But, of course, he means nothing by it—

“For if such token
Passes for real,
Hearts may be broken,
Blurred the ideal.”

Yet what kind of a poet would he be who, induced in lavender-coloured kid gloves, and paying calls between twelve and two, failed to charm ladies' ears with his “winged splendours?” He knows not to talk of cheese and the wages of Johnpawnees; nor seeks, nor finds he mortal blisses, in the course of an afternoon visit; for everyone is not Mrs. Lollipop. So he goes for the ideal: he feeds on the ærial kisses of shapes that haunt Thought's wildernesses: he conjures up before his mind's eyes forms more real than living woman, and in presence of nine or ten stone of giggling fact, he flatters and caresses a dream.

In idle moments the Judge will saunter into Court, take his place upon the Bench, assume the god, affect to nod, and exchange repartees with the Pleaders. The complaisant police will furnish him with crime to while away a tedious hour or two. The *menu* depends upon the weather. In December there is murder and highway robbery; in June breach of promise and defamation of character. There is almost as great a variety of crime on the banks of a Jumna as on the banks of the Thames. Villagers, who cannot write their own names, come in from remote hamlets to be tried for assault and battery; poor coolies, who would hardly know a missionary if they saw one, travel great distances to answer difficult charges relating to homicide and other curious ethical topics. The interest taken in crime, even by the lowest class of natives, is quite remarkable. Crime is to a poor Indian what religion is to a poor Scotchman. It carries him into a region of speculation remote from his every-day life; it quickens his wits: it is the only elevating influence I know of that touches him vitally. Accordingly the poor Indian regards the Judge with much consideration, as one who can create, out of a mere frolic, offences against the State, offences against property, or offences against the person; as one who can dignify a few playful blows by the title of culpable homicide, or Thuggee and Dacoity, or *mar fit*, and, above all, as one who dispenses the patronage of the district gaol, and, in some degree of the Andaman Islands. They feel that he can provide for them; that he can appoint them to sinecures in chains, or give them a free passage to Port Blair, with an order for life-long hospitality.

But in spite of the adulation that steams up hot and odorous from the black races, one cannot but regret that so much wit and scholarship should be squandered in a country where Dulness and Toad-eating are supreme. A few bright words in verse, an epigram flashing through a judgment, a sentence of unhackneyed Latin in an official letter would be quite enough in India to damn to obscurity a potential Johnson, Strachey, or Chapman. Even the office of Viceroy could not save from ignominy an eminent man of parts. There is no Government in the Empire so local as not to view with the sternest displeasure any display of those talents which in more favoured lands win success and honour.

But happily in every province there is something better than the Government; there is among the station communities a public opinion that can well afford to laugh at the bray of the *Gazette* and the cackle

of the Secretariat. The poorest of us can see with scornful indifference a witty and amusing friend repeatedly superseded. A Government can render itself ridiculous by ignoring conspicuous talent, but it cannot thus arouse any widespread indignation or inflict a general wound. Yet who could bear the insolence of office and the spurns that patient merit of the unworthy takes, unless he himself had a grievance? One's own fire burns out another's burning : one's own pain is lessened by another's anguish. It gives one heart to fight the common enemy when the magnificoes of wit join our ranks. In a defiant tone we say, with the Syrians, "Our gods are gods of the hills, and therefore they are stronger than we ; but let us fight against them in the plains, and surely we shall," &c., &c.

But the Judge is not one of the fighting order. When Government peeps in upon him to see how he bears neglect, it shall burn to find him toying with a magnum of something dry, or climbing trees in the garden of the Hesperides for the golden apples of fancy.—*Vanity Fair*.

ART. III.—FRENCH ADMINISTRATION IN ALGERIA.

A FEW years ago a member of the French Chamber declared the position of his countrymen in Algeria to be unique in the history of the world. The colonizing nations, he said, have treated the original inhabitants of their colonies in one of three ways. They have either exterminated them, as in the United States and Australia; or they have subjected and exploited them, as in the Dutch and British Indies, or they have assimilated them by marriage and religion, as in Spanish America. In Algeria, he contended, any of these processes would be out of the question. The natives were too numerous and too warlike to be exterminated. If the law-courts did reveal cases of individual 'exploitation,' such cases must remain exceptional and abhorrent to the genius of French civilization. And as regards absorption by marriage or religion, it was sufficient to note that, in the last six years, only twenty-three mixed marriages had been celebrated, while the number of conversions to Christianity was also absolutely insignificant.

There is no doubt that in Algeria, where the Europeans represent barely an eighth of the total population, anything like the methods of extermination or racial absorption is impossible. But one can scarcely dismiss off-hand the possibilities of a system similar to that followed in British India, whether we are pleased, with the honorable Deputy, to call it 'exploitation' or not; nor can we but observe that the category of colonial systems above presented fails to take account of cases in which the colonists have settled down alongside of an indigenous population, as we have done at the Cape, and in Natal, and elsewhere. For some reason's we should be inclined to see in such colonies as those last mentioned the closest analogies to the French possession in Algeria. The large number of European settlers, the agricultural development of the country by European labour, the predominance of the European language and methods of administration, the elective representation of European interests—these are but a few of the features that would lead us to seek for analogies in our South African colonies rather than in India. At the same time there is, as I shall hope to show, a great deal in the French Government of Algeria which can scarcely fail to be of interest to persons acquainted with our Indian methods of administration, especially in those tracts, such as the Western Punjab, where the country and the people most closely reflect

the circumstances of the French colony. I shall, therefore, in the following rough sketch of the administrative system in Algeria, endeavour to display, so far as I can, the features in the system which present the greatest amount of interest to Indian readers.

It will help, to start with, if I explain that, in area, the French dependency is somewhat larger than the Punjab. The vagueness of the frontier to the South has given rise to variations in the figures supplied ; but the area ordinarily quoted is put down at 184,000 square miles, as against the Punjab area of 149,000. The population, on the other hand, is very much more sparse. When we recollect that India contains 287 millions of people and the Punjab alone 25 millions, it requires a stretch of the imagination to picture to oneself an important dependency which contains but $4\frac{1}{4}$ millions, or somewhat less than the population of the Lahore division only. We find in Algeria a bare 23 persons to the square mile, as against an average of 230 for British India at large, and we have to look for approximate parallels in the wastes of, say, Jhang, with their specific population of 74, or Dera Ismail Khan with 52, or Bahawalpur with 38, in order to realize the small degree of density attained. Roughly speaking, the population to the square mile decreases as you leave the sea coast. The sea littoral is well cultivated, and fairly thickly populated. Then come the so-called 'High Plateaus,' which contain wide stretches of land that are capable of cultivation, though less fertile than the seaboard. And then to the South of these extends the vast expanse of the almost uninhabited Sahara, with its occasional lakes and oases. The country, in fact, illustrates on a large scale the familiar physiography of our Punjab doabs, with their tracts of Bet, Bangar and Bar,—with this modification, however, that the Sahara tract in Algeria is lower and not higher than the central region of the High Plateaus.

The aborigines of this country are represented mainly by the Kabyles, a large and warlike congeries of tribes, inhabiting the mass of mountains which lies East of the city of Algeria. The Kabyles have given the French much trouble, and their rebellions—the latest of which was in 1871—have been put down with relentless severity. They are in many ways distinct from, and superior to, the peoples around them, and the better class of French feel towards them the same sort of admiration that we have felt towards the Sikhs since the Sutlej Campaign of 1845. The Kabyles do not, however, constitute the bulk of the population, and for general purposes it will suffice, when talking of the 'natives' of Algeria, to have in one's mind's eye the Arab tribes—the mixed descendants of the original Maho-

medan invaders—which are spread over the length and breadth of the land from the Sahara to the sea-shore, some of them as mere nomads, others as cultivators of the soil, and others again as merchants and traders in the greater towns. The general characteristics of the Arab tribes are similar to those of the Mahomedan inhabitants of the Western Punjab. They have the same independent manner and stately gait, the same daring horsemanship and gallantry in war, the same hospitality, the same reckless indebtedness, the same intrigue and vindictiveness, the same—perhaps more than the same—passionate attachment to their faith. It was in 1830 that the French first landed in the country; but it was not till Abdel Kadir succumbed, in 1847, that they obtained any hold upon the Arab tribes; and the pacification of the Arabs, like that of the Punjabis, dates from less than fifty years ago.

These Arab 'natives' constitute one great factor in Algerian politics. The colonists constitute the other. India has never been colonized by English agriculturists, nor, *pace* Sir Lepel Griffin, is it likely that any part of our Indian Empire will ever be so colonized. In Algeria, on the other hand, a system of French colonization has been in force from the earliest days of the occupation. The French labourer and the French artizan are to be found everywhere, not only at the sea ports, but also in the remotest parts of the country, in the depths of the mountain tracts and in the oases of the Sahara. An immense area of land has from time to time been granted to French capitalists and agriculturists, and French villages are scattered throughout Algeria. Excluding the army, there are now 270,000 French, and an almost equal number of other Europeans—mostly Spaniards and Italians—living in the country, interspersed in every direction among the $3\frac{1}{2}$ millions of natives. When we recollect that in the whole of British India, among a population of 220 millions, there are only 166,000 Europeans, all told (the army included), it will be at once recognized how important a part, for better or for worse, the colonists of Algeria must play in the administration and development of that country.

It will now be understood wherein lies the crux of Algerian politics. On the one hand there is a numerous population, some centuries behind Europe in civilization, uneducated, unsettled, to a large extent unfriendly, alien to the French in race, religion and sentiment: prepossessed, like all Orientals, in favour of the autocratic system of Government, and averse to anything in the shape of what Europe knows as 'progress.' On the other hand, and living side by side with these, is a crowd of expatriated Europeans, derived for the most part from the most civilized nations in the world, nursed among the most

republican views of Government, the most scientific methods of commerce and agriculture, the most advanced and restless types of modern thought : discontented, like all exiles ; looking to the State for assistance in all their troubles, and very free of their abuse in all their disappointments. How is the country to be governed in a manner that will be suitable alike for the one class and for the other ? How is the same machinery to work harmoniously for the benefit of both the Frenchman and the Arab ? Can one turn his face towards Paris without turning his back on Mecca ? Herein lies, in its most accentuated form, the problem which the Government in India has so often to confront : the problem of governing with one eye on a modern democracy and the other on an old-world, unprogressive Orientalism : the problem, as Sir Alfred Lyall terms it, of setting our clock to two times at once.

It would be unlike the French to have any halting answer to a problem in political theory such as this. Undeterred by present obstacles, they have looked boldly and hopefully into the future, and, with a fearlessness which would take away the breath of an Anglo-Indian, they have fixed for themselves the solution of the whole difficulty. The end and object of the French administration of Algeria, the mission of France in north Africa, is to the French summed up in the word 'assimilation.' The colonists are to be assimilated to France, and the natives are to be assimilated to the colonists. Algeria is no longer to be Africa ; it is to become part and parcel of France, and its inhabitants of all colours, races and creeds are to be fused and amalgamated into the great French nation. This result, it is admitted, will not come to pass at once ; but it will all come in time ; and in this, as in many other administrative and military problems, the French are fond of pointing to the work achieved by the old Roman Empire in the same field. 'Have patience,' they say, 'and Algeria will in time be as much a part of France as Africa and Numidia were parts of Rome.' It is true that, among the colonists themselves and among the local officers, this ideal is often ignored or disowned : the possibility of ultimately assimilating Algeria with France is not ever present with them in the details of their daily work, any more than the possibility of 'granting autonomy to the Indians' affects the current duties of our merchants and magistrates in India. It is true also that there are many who think that things are being pushed too fast, or are not being worked on the right lines. But, among those who guide the general duties of the country, the end which is kept, consciously or unconsciously, in view, is always this same ultimate absorption of Algeria into France.

So far as regards the legislative unity of the two countries, this ideal is only very partially realized by the present system of representation. It is true that Algeria has for a long time been divided into three departments, that each department sends a senator and two deputies to sit in the French assembly, and that no law runs in Algeria which does not emanate from Paris. But the franchise is confined to the colonists: the natives, other than the few who have become naturalized Frenchmen, are still taxed and administered without being in any way represented. Algeria, indeed, is not yet France; and anything like the universal suffrage current in France is, of course, out of the question in Algeria. The French acknowledge that it is impossible, dangerous, preposterous. 'How,' say they, 'can an uneducated proletariat like the Arabs be fit for electoral privileges? Can we allow the turbulent tribesmen to be canvassed by representatives of the extreme right and extreme left, as though they were electors of Rhone or Seine? Can we run the risk of having unkempt marabouts declaiming from their seats in the Palais-Bourbon in favour of slavery and polygamy? No, if the Arab wants to be represented, let him first become assimilated; become a Frenchman. We allow him a vote if he will undergo the formality of being naturalized, and beyond that we cannot go. Unfortunately the Arab does not care about being naturalized. Naturalization is not a mere formality to him. It means, among other things, that he must give up his personal status under Mahomedan law: he must abjure polygamy: if married to more than one wife, he must turn all his wives but one into mistresses, and all their children into bastards: he must practically, in the opinion of his fellow countrymen, give up his religion. Add to this, that naturalization entails liability to military service, and it will be readily understood that there are few enough who are ready, under these circumstances, to claim the privilege. The French system, in fact, debars the native from the franchise, and there is very little chance of this position being abandoned. Some politicians, indeed, would grant the suffrage on a limited educational basis similar to that recently adumbrated in some of the Indian legislative councils—education, of course, meaning French education. Others would work the elections somehow through the existing tribal units. Others, again, while removing some of the disabilities of naturalization, would naturalize Algeria *en bloc*, as Caracalla did the Roman world. But these proposals have little or no support, and after all the great bulk of opinion recognizes the absolute impossibility of granting to the native community any serious representation in the French Assembly.

Whether a colonial legislature could not be framed on a

basis distinct from that of the electorate in France, is another question ; but as the formation of a separate colonial legislature would entail the disfranchisement, so far as the Paris Assembly is concerned, of all the colonists in the country, such a measure bears a somewhat reactionary aspect, and has been relegated to the background of the reform programme. It is on the administrative side that the question of colonial autonomy has chiefly been mooted, and the possible decentralization of the Algeria Executive is just now engaging a good deal of attention. At present the administration is neither that of a colony nor that of three French departments. The three prefects of the departments are subject to the control of a Governor-General, who is supposed to represent the President of the Republic in Algeria. The Governor-General is, however, in his turn subject to all the bureaus of the Home Government : in internal matters he reports to the Minister of the Interior, in matters regarding Public Works to the Public Works Minister, and so forth, occupying, in many respects, the same position of nominal power and real helplessness that a Commissioner in Northern India is often found to hold. He receives from the central bureaus, and has to treat as commands, a number of missives, which he knows to be dictated by the merest understrappers. He finds himself without real initiation, and is tempted to justify his position by meddling unnecessarily in the affairs of his subordinates. He is unable effectively to control his prefects, who know that the real power is at Paris, not at Algiers. He has little or no voice in financial matters, and in fact there is no separate budget for Algeria, each item of receipt or expenditure being classed in connection with the Central Bureau to which it is appropriate. Assailed by an irresponsible press, he must at all times be ready to protect himself in the eyes of the French public ; he is obliged, time after time, to desert his palace at Mustafa Supérieure, and to make his appearance in Paris, in order to 'defend his personality.' He has, moreover, to reckon with Deputies and senators, who represent the very areas which he is supposed to govern, and whose influence in the matter of appointments and jobs is often more powerful than his own. And he constantly finds his territory subjected to invasion by Commissions, which are appointed by the Home Legislature, to prow! around Algeria and to report on things in general. Altogether, as things stand, the Governor-General's position is not enviable, or for any purpose effective.

The high and dry assimilators would solve the difficulty by abolishing the post altogether ; and, indeed, the experiment was tried under the Empire for two years, during which the prefects reported directly to Paris : but the results of this centralization

were such as to render a repetition of the experiment unlikely. Others, again, would confine the Governor's power to native questions, but this would only make confusion worse confounded. It is generally felt that assimilation under present circumstances can be pushed too fast, that Algeria should not be drawn unnecessarily into the vortex of French party politics, and that what is wanted is an extension, not a restriction, of the Governor-General's authority. This is the view of a large number of officials, and it is the view of the present Governor-General. But the Governor-General himself is helpless. Finding his orders disregarded by his prefects and his authority undermined by the influence of disputes, he was forced, last winter, to explain to the Chambers that the reform so urgently called for must be initiated in Paris. Let me quote the words of his speech :—

' Quand la confiance du Gouvernement m'appela au Gouvernement de l'Algérie, on me dit que j'aurais une double tâche à remplir : faire comprendre aux Arabes que nous les aimons, et reconquérir l'indépendance de l'administration. La première partie de cette tâche je l'ai remplie, mais je n'ai pas suffisamment réussi dans la seconde. C'est à la Chambre qu'il appartient de dire que les fonctionnaires ne doivent tourner les yeux que vers leurs chefs, sinon ils risquent de se transformer en agents politiques et en hommes d'affaires. Il faut que l'autorité soit là où est la responsabilité ?

The Chamber, we are told, 'vigorously applauded;' but we are not told what steps the Chamber has taken to strengthen the Governor's authority. It is not, however, in France alone that decentralization is loved more in the abstract than in the concrete.

In order to effect any real extension of the Governor's power, it will be necessary to make two great administrative changes. In the first place there will have to be in Paris a single office to which he will report; either the Colonial Office, or a branch of the Bureau of the Interior, or a separate bureau, such as our Indian Office at Westminster. Without this, he will remain under many masters, without real responsibility and without real power. A step in this direction has often been recommended; but the change would occasion a considerable break of uniformity in the administration of Algeria and the mother country, and there are several subjects, such as justice, education and religion, in which uniform administration is considered by politicians of all classes to be essential. A more formidable measure, but one equally necessary for rehabilitating the post of Governor-General, is the establishment of financial autonomy in Algeria on a basis similar to that adopted in India. It must be remembered that hitherto there has been no distinction in French and Algerian finance: Algeria has no separate budget, no separate debt. France spends annually

on Algeria a good deal more than she receives from it, and it is estimated that Algeria has cost the Home Government from first to last not less than 150 millions sterling. The withdrawal of French assistance would, no doubt, be a serious blow to the Algerian finances; but even a show of autonomy, supported, it may be, by the subventions at which the French are so expert, would not be without its uses, for it would lead to economies not now practised, and it would certainly bring about a large reduction in that army of functionaries—very inferior functionaries for the most part—with which France has deluged her unfortunate colony. It is on these grounds that M. Lannessan, the late Governor of Indo-China, has warmly advocated the administrative autonomy of Algeria. M. Lannessan knows from experience where the shoe pinches, and he knows something of the system under which the English work in India. His proposals, moreover, have a strong backing among the colonists themselves; for, although the French in Algeria would be sorry to see themselves deprived of any of the privileges which they enjoy as part of the French nation, they are at the same time becoming tired of constant interference at the hands of senators and deputies of the mother country—the ‘Roumis’ who, after rapid tours through the colony, are ready to cram their doctrinaire nostrums down the throats of the local administration. If one wants to gain an idea of the manner in which these ‘Paget M.P.s’ make themselves ridiculous before the Algerian public, one has only to turn over the amusing, if somewhat scurrilous, pages of M. Michel Tice’s ‘Kif Kif Haroun-al-Raschid,’ where the zealous senator is found travelling in disguise through the country, and hearing in railway carriages, native villages and elsewhere, a good deal of information which had not previously been dreamt of in his philosophy. The new schemes which are imposed upon the colony from Paris are looked on by the colonists with a good deal of suspicion and contempt: ‘c’est encore une inéptie,’ you hear, ‘qui nous vient de France.’ Resenting as they do this constant interference, the colonists are not disinclined to see such changes as may increase the independence of the colony, and with it that of the Governor-General. It seems not unlikely, therefore, that something will ultimately be done in this direction, and, if so, the change will constitute an admission that, on one line at least, the ‘assimilation’ policy has hitherto been pushed too fast.

Regarding the local council, which assists the Governor-General and the prefects, I need say but little. Their power is practically *nil*, and their functions are for the most part purely consultative. The colonist element preponderates, and

the native members are all appointed. There is not apparently much complaint or much agitation regarding the constitution of these councils; but certain drawbacks have been pointed out, such as those with which we have to put up in the corresponding institutions in India. The native members are sometimes ignorant of French, the language in which proceedings are conducted. They are generally selected from the prominent men in the towns, so that the country interests are often neglected. And they are almost always men of the '*jo hukm*' type, on whose vote the administration may safely count. But, considering the small part which these councils play in the practical management of the country, they appear to serve their purpose well enough.

The fact is that, so far as the Europeans are concerned, the prefects and the Governor-General—the Provincial and Supreme governments, as we might say—have little enough scope; for what is not done by the Home authorities is done by the Local bodies, and, in areas where Europeans predominate, the greatest freedom is given to these local bodies in the exercise of their powers. When the European element is small or non-existent, things are managed otherwise, and the local management is carried on by 'administrators' under the direct control of the prefects. For local government, therefore, the communes into which the country is partitioned, are divided into two classes; the '*communes en plein exercice*' and the '*communes mixtes*.' When it is remembered that the original French system of local government makes no distinction between the rural and urban areas, one is tempted to imagine that the two classes of communes in Algeria may represent roughly the urban and rural governments with which we are familiar in England and India. But the distinction between the two grades of communes is not of this character, nor is it based on size or locality. It is purely a racial distinction. A commune where the Europeans are in large numbers, enjoys full powers: a commune where the Europeans are few or none, is known as a "*mixed commune*," and has practically no local self-government. When the Europeans in a mixed commune become stronger or more numerous, the commune is transferred to the higher class, and obtains the higher powers. There is no '*Queen's Proclamation*' in Algeria, to prevent such racial distinctions from being maintained in name as well as in fact. And, indeed, if we had large agricultural and commercial communities of Europeans scattered over India, in the same way as the French have in Algeria, it is not impossible that some similar distinction would have been found necessary in India; but, having a comparatively minute European community, we are able to conduct the business of the European

municipalities, such as Simla, Darjeeling or Murree, on much the same lines as that of towns in which the native element preponderates, and thus to avoid any semblance of racial disqualifications.

The racial character of the Algerian system is expressly marked by a rule which prevents any native from becoming the 'maire,' or president, of one of these first class communes, or from having any voice in the election of the maire. Seats on the council, however, go by public vote; and, as there is nothing to prevent a native from sitting on the Council, it might be thought that this arrangement would give the natives some real share in local administration and some real training, such as we attempt to give in India, in the art of local self-Government. As if, however, expressly to prevent the possibility of any such results being attained, the law provides that not more than one-third of any Council shall be natives: and what can a handful of natives, in the presence of a majority of French artisans and agriculturists presume to do except to keep silence, and to display what the French call 'mutisme?' The only possible opening, therefore, for the training which our theorists look upon as the *sine quâ non* of Indian local Government, is expressly barred by the French administration; and, indeed, in the whole of the Algerian system there is little or no trace of any attempt to develop the possible capabilities of the native in this direction. It is the old story. The ultimate aim in view is not the autonomy of the country, but its assimilation, and the ways of assimilation have often a very tyrannical air about them.

In other respects the working of these communes 'en plein exercice' calls for little remark. The work achieved is generally good enough: the roads are clean and well kept, the villages and towns are plentifully provided with squares and boulevards, lighting, water, school houses, police-buildings and other requisites; and, if any complaint has to be made in respect of these outward and visible signs of well-being, it would be with regard to the extravagance shown in the construction of public buildings out of all proportion to the public for which they are built. There are, as may well be imagined, innumerable complaints, mostly of a local or personal character, against the management of these communal bodies, but, apart from these, there are a few points on which they still seem to be short of perfection. The staff, for instance, is often excessive, and swallows up sometimes as much as 40 to 50 per cent. of the communal income. The financial arrangements, too, are somewhat anomalous: for although a clean balance sheet is regularly shown, this is very often done on the strength of special State subventions,

which supplement the local budget. The relations of these communes to the native inhabitants also leave much to be desired. We find, for example, not one or two, but scores of instances in which the native population in a first class commune—a commune in which, be it remembered, not more than a third of the councillors can be natives, and in which no native can vote for the election of a maire, or be a maire himself—the native population is ten, twenty, or even a hundred times as large as the European. A commune of this class is always trying to get its boundaries enlarged, and to enclose a greater number of natives. The enlargement is not effected at the instance of the natives, for no native has ever displayed the smallest desire to be transferred from a mixed commune to a commune 'en plein exercice : ' and the arrangement is accounted for by the fact that each native so brought into the commune brings with him two francs of revenue per annum to the communal Exchequer without causing any change in the proportional representation of the natives on the Council. There are not a few of the first class communes whose constitution and finances are based on this fictitious foundation, but, as the matter has attracted some notice of late, it is to be hoped that some change for the better may shortly be inaugurated.

Turning now to the mixed or second class communes, which lie outside the jurisdiction of the communes 'en plein exercice', we find a system of Government somewhat resembling that of our extra-municipal areas in India. The average commune is less in area and a great deal less in population than the average tahsil in Northern India, but the functions of the 'administrator' therein may not inaptly be compared to those of a Collector or Deputy Commissioner in our Indian districts. The administrators are often men of military experience, and they control almost the entire administrative business of the communes. They have hitherto been, as a rule, less acquainted with the Arabic language than they should be, but there has lately been a considerable improvement in this direction. There is, moreover, it is said, a certain amount of laxity permitted in the matter of passing the examinations necessary for appointment, and the transfers of administrators from one commune to another are said to be more frequent than they need be. As a body, however, the administrators appear to be in many ways praiseworthy, and the freedom of action which their duties accord them tends to the attractiveness of the service. They are helped in their work by native assistants, and by the tribal chiefs either singly or in bodies, but the responsibility rests mainly with themselves, and these advisory parties appear to impose but few hindrances on their ad-

ministration. Their work is not perfect, but it is more economical than that of the communes 'en plein exercice,' and more in accord with native theories of Government. Such complaints as are made against it are based rather on the restrictions which the introduction of Civil Government and of French laws has imposed on their authority, than on any excessive or unjust use of their powers. People often look back to the days of the military rule which prevailed in the colony before the introduction of Civil Government, and a remnant of which still survives along the Saharan frontier. In those days the communes were administered by what were known as the *bureaux arabes*, a group of politico-military officers of the worst stamp, venal for the most part, and cruel and rapacious. The politicians, however, were summary in their work; and ruled in accordance with the native ideas of 'hukumat.' They were undeterred by legal formulae: they sought out crime vigorously and punished it severely. Their strict rule followed immediately after a period of restless anarchy, and the people often look back on their time as a time of contentment and peace, spreading around their memory a myth similar to, though less justifiable than, that which in the Punjab still surrounds the 'patriarchal' administration of the old 'Punjab Code' days. No one, however, now proposes to go back to military administration. It has done its work and had its day. But it is still questioned whether the Civil area has not been extended too fast at the expense of the military, and whether the change in the character of the jurisdiction has not been too sudden. We shall notice below some points in which modifications of the present high and dry procedure have been proposed.

Meantime it will be noticed that in these two classes of communes, we are again confronted with the great antithesis of Algeria, the colonist and the native; and, before proceeding further, I would say a few words on the character of the colonization which the French have effected in the country. It is a colonization of a different character from that with which we are acquainted in our colonies. It is not a mere spontaneous movement of population from one environment to another. It is an essential part of the work of assimilation which the French have set before themselves in Algeria: a duty which the French as a nation have undertaken, and which they are eager, not as individuals, but as a nation, to carry out. The State has been interested in many ways in the development of this colonization, and it could not have afforded to leave the matter entirely in private hands. To fulfil the mission of France in Africa, the number of French

immigrants must be such as not merely to overawe, but also to permeate and civilize, and largely to absorb, both the indigenous native element and the non-French European immigrants. I do not propose to go into the history of the French colonization and of the different policies which have been adopted with regard to it at various times. At the beginning we find land granted wholesale to retired soldiers, almost every one of whom sold out and disappeared within the twelvemonth. Later on it is the scum of the political rabble of 1848, or the victims of the coup d'état, who are sent to fulfil the destinies of their country in the South. At other times the poor fishermen of Brittany, the Alsatian patriots of 1871, even the outcasts of an Irish district, who find their way to the Algerian Settlements. The immigration, as we can well conceive, has been fitful, and the policy that conducts it has been inconsistent and irregular; but things have in many ways righted themselves, and the colonization which is now carried out, is one which attracts the French peasantry more steadily and less intermittently than heretofore.

Let me mention shortly how it is done. The State divides off from its own demesne, or from land which it acquires for the purpose from native owners, an area sufficient to support a number of French families varying from forty to four hundred: the area is divided into lots of about 75 acres each, a detailed plan of the forthcoming village showing the situation of the fields, the house sites, the gardens, &c., is drawn out; roads are made; drinking water is provided; town halls, schools, wash-houses, churches are made ready; and, when all this has been completed, the lots are granted free to the selected colonists. The application of the intending colonist has to be verified and endorsed by the maire of his commune and the prefect of his department in France, who certify to his possessing certain preliminary qualifications in the matter of capital, &c., and, when he receives his land, he does so on the condition that, if he lives on the spot for years, or at least builds and improves thereon, he shall obtain the proprietary right on an indefeasible title. Such is the ordinary type of grant hitherto made. It will be seen that the State does a great deal of preparatory work on the colonist's behalf, and one hears proposals for further help in this direction, such as the clearing of brushwood by convict labour, and so forth. The colonists are so near France that they wish to find everything as in France, and they are accustomed to expect every kind of assistance from the Government. Not, indeed, that they are a feeble folk: on the contrary, they had, in the early days, amid a hostile population and constant brigandage

an exceedingly hard time of it, and are still beset by many troubles, which require a sturdy arm and a stout heart to overcome them. The French colonist is not feeble, but, as is well-known, he is so constituted as to exact from the State all the aid he can. The State accordingly spends some 8,000 francs on every family, which it settles on the land ; it practically exempts its colonists from all direct taxes ; and it subordinates the major part of its administration to their benefit : but even then it often fails to attain its object. Take, for instance, the figures given for the colonization effected between 1871 and 1883. During these twelve years some twelve lakhs of acres were given out, the average value of which was 36 francs an acre. Of this, about a quarter was granted to local bodies : in the rest some 1,000 families were settled on 12,000 grants, and of these 30 per cent. failed to fulfil the necessary conditions, and had to be replaced, only 58 per cent. ultimately remaining resident on their grants. There is an influential party which would now have the State withdraw from direct aid in the process of colonization. They point out the success of the private settlements that have been carried out independently of the State ; they notice the insufferable red-tapeism and delay which has to be endured by applicants for grants ; and they bring forward figures to show that immigration to Algeria has always flourished most when the State had least to say to it. On the other hand, it is pointed out that, so long as 15,000 Frenchmen leave France annually for other countries, some special inducements for emigration to Algeria are still required, and that, in order to give the colonist a clear title, the aid of the State is absolutely essential. In support of the latter contention, instances are given of cases of private colonization where, *e. g.*, the acquisition of an estate of 7,000 acres entailed dealings with 440 different owners regarding 569 separate parcels of land : and, indeed, as will be seen below, the present condition of the land question renders a clear title very difficult to obtain otherwise than through the State.

As regards the terms on which the grants should be given there has been much discussion, the balance of opinion leaning at one time in favour of out and out sales, at another in favour of provisional grants, which ripen after effective possession into freehold. With sale there is less chance of jobbing : with provisional grants, less chance of failure ; but I do not propose here to go into the arguments for and against, which differ after all but little from the never-ending arguments with which the principles of our waste land grants in India have been so fully discussed. Generally speaking, the sale system was in favour before 1878, the provisional-grant system

since: but of late years a compromise has been suggested, which perhaps merits attention in other countries besides Algeria. Under the arrangement proposed, the land would still be sold, but the payment of the purchase-money would be extended over a series of years, and the later instalments would be remitted on proof of effective colonization.

The French have also, of course, to deal with the *vexata quaestio* of large and small colonists, and their action has in this matter been wisely tolerant of all classes. Concessions have often been made on special terms (never of course by grant) to private capitalists and to companies; and, although these may often sublet the land to Arabs and draw their rents in France, yet at the same time these are the agencies which have largely introduced the much-needed capital, and have supplied not a little of the European labour. Concessions are also commonly made, by sale only, to yeomen, in lots of some 250 acres each, and these concessions attract a worthy class, which, without cutting themselves absolutely aloof from their little properties in the South of France, can still effectually develop the grants made to them in Algeria. The bulk of the land has, however, been given out to the peasant class on the terms which I have described above, and the free grant of land has been confined to this class. And from whatever rank the colonists are drawn, they bring with them a following of shopkeepers, artisans, lawyers, traders, labourers, and so forth, who help to strengthen the predominance of the French in the colony, and spread civilization into the furthest recesses of the country. As we travel through Algeria, the dark tents, or the mud huts, or the half-thatched hovels of the native population pass almost unnoticed, while the eye is everywhere attracted by the bright, clean mansions of the European colonists, as they rise out of the vast plains and plateaus, or nestle among the lower ranges of the mountains. From almost every point of view, there are French villages to be seen: at almost every turning there is a French farm-house or a French inn. The employes on the railways, the labourers on the highroads, are nearly all French. Almost every town of any importance has a garrison of French troops. You cannot lose yourself in Algeria among the native population, as you can in India. You will have great difficulty in finding an individual who 'has never looked on a French face, or seen the gleam of a French bayonet.' The colonization of Algeria has been in this respect a very thorough one.

The mission of these colonists, it must be remembered, is not the development of the country's resources, or even the planting of a new offshoot of the Celtic race. Their mission is to absorb

a large native population into the French nation. Take the words of the dignitary whom I quoted at the beginning of this article: 'Le but essential,' says he, 'de notre établissement en Algérie, c'est d'y créer avec le concours d'émigrants Européens assimilables une race de Français qui puisse civilizer et rapprocher avec nous les indigènes.' How far has this mission been accomplished, or how far is its accomplishment practicable?

I may say at once that the colonists are not setting about their work by living down to the native standards. Owing, probably, to the ease with which women can immigrate from France, there are exceedingly few half castes in Algeria, and mixed marriages are almost non-existent. The French of the second generation, we are told, are not as sturdy as their fathers, but there are few outward signs of this; the colonists are little troubled by it, and indeed communication with France is so easy that the better class of colonist can educate his sons in the mother-country. With such a large immigrant community of agricultural labourers and artizans, there are, as there must be, a certain number of low class vagrants, who adopt native habits of the Lasar sort, and adapt themselves too easily to the less inviting part of their surroundings; but the colonists, as a whole, differ little, if at all, from men of the same rank in France, and are as distinct from the native type as possible. At the same time they are enabled, both by their own character and that of the Arabs, to treat the native population in the ordinary concerns of life on a footing which, if not perfectly equal, is not far from being so. There is not on the part of the Arab any of that servility—little, indeed, of that cautious respect—with which the hardiest natives of India approach the meanest European. Nor, on the other hand, is there on the part of the French colonist any of that brutal contempt, or, as it may be, unsympathetic reserve, with which the lowest white in India treats every member of the native population. In the little things of life, the outward relations of individual Arabs and Frenchmen are in somewhat striking contrast to the corresponding relations between conquerors and conquered in India. The Arab and the colonist sit freely together in the trains and omnibuses; they drink together in the cafés; they work together on the roads. The Arab does not necessarily make way for the Frenchman in the streets. If ready with a friendly greeting, he expects a friendly reply, and, if abused, he is not afraid to pour forth abuse in reply. Caste, of course, is absent, and it must be remembered, too, that the material standard of living, which differs so immensely in India between the two classes, differs far less in Algeria. The Frenchman has, it is true, higher notions of comfort than the Arab, but the difference between them, as measured in money, is comparatively

small. Whereas, for instance, in India, a European can scarcely exist on less than six or eight times the pay of a common native labourer, and even then cannot compete in manual work, the lowest class of French labourer in Algeria will live and flourish on a wage that is only half as large again as that of a corresponding workman of Arab extraction; and the climate enables him to compete with the other on equal terms. I think, therefore, that, when we consider the numbers of the colonists, the respective characteristics of the two races, and the similarity of their material standards of life, it will be found that the French ideal of a future assimilation is a much less preposterous conception than we should at first be inclined to suppose.

In this task of assimilation the chief factor, of course, is the direct education of the native. 'L' école est le clef de route de l' assimilation à la France.' This is a role which education does not assume with us in India. We educate, it may be, from philanthropic motives, or, it may be, with the idea of training the masses to an apprehension of political life; but we do not educate in order to turn the native into an Englishman. Consequently we educate the native, so far as we educate him at all, in the way which we think will come easiest to him. We choose the line of least resistance, and, whatever the ultimate standard may be, we introduce him to learning through his own language, and to a large extent through the class of literature to which his ancestors have been accustomed. Not so the French in Algiers. Under their theory, education would be practically useless if it were not an education in the French language and on French methods. Neither the colonists nor the servants of Government pay much attention to Arabic, and so, as the French will not learn Arabic, the Arabs must learn French. There are practically no Arabic schools conducted by Government. The Arab boys who go to school, must sit on the same benches with the French boys at the French schools (this is to encourage the approximation of the races), and must read the same lessons about Vercingetorix and Joan of Arc and the Salic law, and the rules of French grammar. The idea is a bold one, and there can be no doubt that the carrying out of the idea would be of the greatest assistance towards the accomplishment of the great aim which the French have before them. But, just as even our modest attempts at education in India meet with a studied opposition on the part both of the natives themselves and of the Anglo-Indian community which is most in contact with them, so the attempts of French statesmen in Algeria are to a large extent thwarted both by the Arabs and by the colonists.

Outwardly the Arab shows the greatest indifference in the matter of education. It rests with him to send his sons to school or not ; and, as his sons are much more useful to him in the field than in the school, he requires considerable inducements to send them to school. If he does send them, he considers he has done a service to the Beylick—to the ‘Sarkar,’ as we should say. He is always being pestered to do so, and, when he has done so, he expects some reward. If on the lower rungs of the social ladder, he expects a small berth. If higher up, he looks for the Legion of Honor, or an invitation to the Governor’s annual ball. When, to meet this indifference, the French reformers propose to render education compulsory, the Arab at once abandons his position of silence and displays such a warmth of feeling that the educationalists have to draw in their horns. The Arab, like our frontier Mahomedan, looks on education as being very largely a part of religion, and his religious feelings rise up in protest against the French schools. The indigenous education is an education in the Koran and the doctrines of Islam, and he concludes that a French education is an education, if not in Christian doctrine, at any rate in something utterly subversive of the religion of Mahomed. An Arab child in a French school learns no religion ; and, if he does not learn to forsake his own religion, he loses at least that religious training which, in the eyes of his co-religionists, is the basis of all morals. The Arabs, therefore, have little partiality for the French schools. And when you turn to the colonist, he gives you as little encouragement as the Arabs do. ‘What good is it,’ he says, ‘to send the Arabs to school ? You will never make them Frenchmen, or anything like Frenchmen. As our proverb has it : ‘You may boil an Arab and a Frenchman in one pot, but you will still get two different soups.’ • You change their appearance, but not their character. The man who comes to you, dines with you, drinks your wine, talks in the best French, abuses his own people, and belauds your civilization, will, if you track him back to his home, be found sitting on his hunkers among the tribesmen, eating his *kouskous* with his fingers, attended by his four wives, subservient to the meanest saint or *haji*, and praying to Allah for the day of retribution. Why, Mokrani himself, who led the last great Kabyle rebellion of 1871, was an assimilated native, who had spent many years among the Paris boulevards, and yet he was one of the most dangerous and bitter foes that France has ever had to meet on Algerian soil. No ; all you do by educating your Arab is to form a body of ‘*ratés et déclassés*,’ men who have learnt just enough to prevent them from labouring with their hands, but not enough to prevent them from gambling and drinking

absinthe in the towns; or men who have received a better education, but who fail to obtain the appointments under Government for which they looked, and who, being without any aptitude for the army or medicine—the only two professions open to them—, find themselves stranded at the opening of life.

All this is true enough, and we in India might add that these *déclassé* natives would of course develop themselves into a more or less organized political opposition to the French power. In this, however, we should be wrong. There are too many colonists in Algeria—men educated in the ordinary routine of civilized French education—to allow the educated native to put himself on a pinnacle, intellectual or political: and, with the whole of the legal business of the colony in French hands, it is impossible for the native opposition to obtain that legal haven which is so necessary for successful political organization in modern societies. There is practically no native press, and there are enough educated Frenchmen in the colony to monopolize and regulate the character of the local French journalism. Troubles in Algeria, moreover, have been too recent, and the bureaucracy is too strong, to allow of any political societies, or congresses, or committees, other than those directly authorized by the Government. Any educated opposition to the French as a nation would be in direct contradiction to the ‘assimilation’ idea on which the system of education is founded. If the French were training Algeria to govern itself, such opposition would be natural and inevitable: but they are not training Algeria to govern itself; they are assimilating Algeria to France. And hence it comes that, under the wing of the great republic, the ways of ‘constitutional opposition,’ which flourish so mightily in India, are utterly unknown, and, indeed, would not be tolerated for an instant. The *déclassé* native does not seek refuge in denouncing the number of French employés, or calling for the proper representation of his co-religionists, but he goes to the wall entirely, and has no prospects before him.

The authorities rightly enough refuse to allow considerations such as those which I have mentioned to deter them from the task of educating the Arabs, but the influence of the views above represented has led them to modify somewhat their ideas of the system of education to be followed. It is thought that even the French education in the colony had better not be altogether on the same lines as education in France; that education in French and Arabic, or even in Arabic alone, need not be discouraged: and that might be gained, not lost, if the Koran schools of the talibs could be in some way supplemented by grants-in-aid, or if the talibs could attend the

Government schools at fixed intervals to give religious instruction to those who wish it. The educationalists are also paying more attention than before to the technical instruction of the Arab. Not, indeed, by means of special professional schools. These have been tried from time to time without any great success; witness the Pastoral school at Mondjibeur, where the native pupils, having been taught, at great expense, the mysteries of sheep-shearing and sheep-breeding, used to treat their old nomad life with scorn, and to apply anxiously to be made mounted orderlies to the French officials. The idea at present in favour is rather to give to the schools throughout the country a more practical and less literary turn, so that education may mean something more for the Arab, and offer him more solid attractions than heretofore. I do not say that any of these schemes have been carried out, but they are freely mooted, and show the change which has come over the French view of the functions of education in Algeria. Education will still be the great assimilator, but it will no longer assimilate with a high hand.

As in their educational policy, so in the administration of justice, the French have found themselves unable to maintain perfect uniformity with France, and are not entirely satisfied with the amount of uniformity which they have already imposed. The *personnel* is, indeed, based on the French system. The pivot of the service is the 'juge de paix,' a French official, a sort of District Judge, who combines criminal and civil powers with the functions of a 'juge d'instruction':—the separation of executive and judicial powers, in the narrower sense of the words, being unknown to French law. These Judges are sometimes valuable men, but on the whole they fail to give satisfaction. They are not on the same cadre as the corresponding officers in France; they are as often as not old men who have failed elsewhere, or young men who have not yet succeeded; they are ignorant of Arabic and of Mahomedan law, requiring interpreters for explaining oral and documentary evidence, as well as for translating the rules of law. Then in criminal matters they are not supported by the same organized subordinate service as in France. Almost the whole preliminary work in criminal cases is in the hands of the 'caïds,' men of a standing which corresponds somewhat to that of our Punjab Zaildars, and who, like our zaildars and lambardars, receive their remuneration, not as members of a graded service, but as participants in a percentage of the land revenue. The caïd is oftener than not a venal personage, and much influenced by considerations of intra-tribal partizanship, which are as rancorous and mysterious as those attending the 'gundis' of our North-western frontier. The caïd, too, in

his turn, works through the 'sheikh,' or lambardar, who uses the same methods as his superior. This method of investigation by native agency has been both violently attacked and violently defended. On the one hand, we are warned regarding the venality and partizanship of the local men. The caïd, we are told, will either inculpate the innocent or be subjected to the violent attacks of his private enemies. To work through him is in fact a slipshod method of government, if, indeed, it is government at all. 'La responsabilité collective et la responsabilité des chefs,' as one authority has put it, 'ne sont pas des instruments de justice, c'est plutôt une abdication de la justice.' On the other hand, we are reminded that the caïds and sheikhs are the natural leaders of the people, and that their position should be strengthened rather than weakened. What happens now is that the caïd or sheikh duly traces and reports the crime: the juge de paix calls for evidence, and, by the time the evidence is marshalled and laid before the judge, the whole of the witnesses have been corrupted; the accused is then discharged, and the face of the caïd or sheikh is blackened before his tribe. Either, then, strengthen the position of the local leaders of the people, or insure due promptness on the part of the European Judge. What is wanted above all things is promptness, both to get' at the truth and to strike terror: and this is the one thing that the French Criminal Code, as strictly worked, does not insure. The two most unpopular items of French rule in Algeria are, we are told, the Law on Property and the Judicial Codes. Jules Ferry himself has said: 'C'est toujours l'introduction de nos codes en Algérie qui a causé tout le mal.' The French codes are good ones, like our own in India: but the objection raised is that, though good for France, they are not suitable for Algeria. So far as regards the delay and formalities attendant on criminal investigations, it is difficult to give this objection any more definite shape than that assumed by similar objections in India, and the objection on this score has not been pushed home by those who are dissatisfied with the present procedure. They confine their attention mainly to the alleged deficiencies of the law in dealing with perjury and in regulating service on juries. Seeing that the East differs mainly from the West in the matter of false witness, a law intended for Western evidence must, no doubt, fall somewhat flat in Eastern surroundings. In India we may be said to have practically given up the battle against false evidence: but in Algeria the French are still irritated by native perjuries, and are still combating them. They still call for remedies which we have long ago cast behind us. Severe laws of repression, summary procedure, the reintroduction of the solemn oath—whether it be on the Koran or on the

tomb of a saint—these are still discussed as possible remedies for the situation, and meantime, under the cumbrous working of the codes, perjury flourishes apace. The other objection, regarding juries, is of less moment. The native in serious cases is tried by a jury: but, strangely enough, by a jury, not of his peers, but of Frenchmen. The natives seem to accept the position with resignation, and there is no native press to point out the 'iniquitous racial distinctions' which the system entails. It is the French themselves who object, and that on grounds of personal convenience: for, with only a quarter of a million of French in the country, the constant service on juries to try cases between natives is found fatiguing and expensive, so much so, indeed, that in some places the colonists have established provident societies for the mutual protection of juries!

It is less, perhaps, in the matter of procedure than in that of substantive criminal law that the unsuitable character of the French system is brought out. The substantive criminal law of Algeria is the same as that of France. There is, indeed, a supplementary Code, known as the Code d'Indigenat, which contains special provisions on the subject of treason, the supply of food and transport to troops on the march, the punishment of absence from the tribe without leave, and so forth; but the Code is only provisionally in force for a year or two at a time, and it is less and less used every day, so that before long the penal laws in Algeria will be absolutely the same as those of France. And yet the state of society is so different from that of France that the absence of special provisions will always be felt. Take, for instance, the question of cattle-theft, which troubles us so much in many parts of India. A French colonist, or an Arab landholder, finds his cattle stolen. They have been passed rapidly by night, from tribe to tribe, over a vast extent of country. He at last tracks them to a particular tribe, or sept. Every one knows who the individual thief was, but no one will denounce him to the magistrate. The *caïd* professes utter ignorance, and dares not interfere. If he sets the authorities on the track, his hayrick is fired, or his silo damaged, the next evening. The injured man has practically but one remedy, that known as the 'bechara.' He is informed that the thief will accept a certain sum as ransom; he pays that sum to a third person, and he receives back the stolen property intact. This system of 'bechara' is extending daily, and the authorities seem powerless to stop it. A system of tribal responsibility is often urged as the remedy to this state of things, but the weight of opinion is rather against it, and some other kind of reform will have to be tried. Among the remedies often proposed for the correction of crime, I may

mention that of increased severity in jail. The jail in Algeria, as in India, is only too often a place of luxury for the rude native : he gets himself sent to jail when seasons are bad outside, and he comes out much stouter and healthier than when he went in. The only sentence, short of death, which he really fears, is exile to Cayenne ; but even from Cayenne he frequently manages to escape, and the mountain recesses of Algeria are full of criminals who have returned from oversea without leave and are still wanted by the police.

In their criminal law, the French soon found themselves compelled, as we are in India, to supersede altogether the old native systems, whether based on religious codes or not. In civil business also they have made great inroads on the old jurisdiction of the 'Codes ;' but the change in this respect is more recent. Until 1886 native litigants in civil matters went invariably to the Code : they were allowed, if both parties agreed, to take their suit before a French *juge de paix*, but there is absolutely no case on record in which they availed themselves of this permission. The natives themselves put up contentedly with the Cadi's decisions, but the French administrators found him to be a very venal personage, and the judges who heard appeals from his decision, found him to be utterly confused and slipshod in his judgments. In 1886, therefore, the Cadis were deprived of all jurisdiction, except in matters of personal status, in partition and succession cases. This step has turned out to be most unpopular. The French Judges do, indeed, try many classes of cases by Mahomedan law ; but their knowledge of its details is incomplete, and though, as a rule, upright and conscientious, they do not command the same respect as the Cadis. Their proceedings are infinitely more tedious and costly. Documents of every kind have to be translated, and translation has to be paid for by the parties. The judges are overworked, and cases fall into arrears. Underlings of all sorts have to be fed. And, whereas the Cadi was generally near at hand, each visit to the Judge's Court entails, as a rule, long journeyings and much waiting. Some small extension of the Cadi's powers has, indeed, been granted of late, more as a relief to the Judges than anything else : but this has failed to give satisfaction, and it is doubtful how the difficulties of the situation will ultimately be met. Our usual method in India in such cases is to turn the old native authorities into a graded service of Government officials, who work on Government lines, with increased precision and rectitude, perhaps, but with less authority and confidence. The French, however, have shown no great love for this kind of arrangement ; their tendency is rather to maintain the old native agency as long as possible on the old native methods, and when this becomes no longer tolerable to super-

sede the old agency entirely by a service of French 'fonctionnaires.' There, again, creeps out the feeling :—' If you cannot be a native in everything, you must become a Frenchman in every thing.'

I have already spoken of the efforts made by the French to persuade the natives to naturalize themselves and the reasons for the failure of the attempt : and I may notice' appropriately here an intermediate and less serious step which the French Government has taken in the same direction. In France every one has an 'état civil:' his birth, marriage and death are registered, and his name must be recorded somewhere, so that the Government may have cognizance of his identity. Without an état civil a Frenchman is a vagabond, and if the Algerians are to be properly governed, they must, it is argued, have a proper état civil like their French masters. Births and deaths are fairly well registered already for statistical purposes, and marriages also to some extent ; but this is only half the battle. Every one's name must be duly recorded, and he must receive a certificate to show that this important procedure has been duly carried through. It is inconceivable what vast pains and what great expense the French have incurred to insure the grant of an état civil to the natives. Finding them without 'patronymics,' they have insisted on their adopting proper surnames for the purpose of registration. It is immaterial that your name is Bouteiba, and that your friends know you by no other, and that in all your deeds and contracts you have been entered by that name ; your official name is Ben Yamine, and henceforward the Government will take cognizance of no other. To certify this change, you are given a 'parcha,' which you roll up in your turban, and which you lose at the earliest opportunity in order that no untoward consequence, such as conscription or service on a jury, may result from the mysterious document. It is difficult to imagine what good is extracted from this elaborate arrangement ; and the uselessness of the whole business has been often pointed out ; but the measure is still being solemnly carried through by the authorities.

The desire for uniformity with France, which the grant of the état civil displays in a comparatively harmless form, has led to very serious results in its application to the forest administration of the country. Before annexation there were numerous forests, but no forest laws, and the people used the forests freely for their own wants and those of their cattle. Now the French have reserved as forests an area of 8,000 square miles, or more than half as much again as the forests of all classes in the Punjab. Part of this has been inherited as the demesne of

the Bey; part has been cut off from the excess waste of the villages; and part has been confiscated from the original owners for treason or incendiarism. Of the forest area, a small proportion belongs to communes, and a certain area has been leased for exploitation to private concessionaires, but the bulk is still in the hands of the State; and to this has been applied, in all its rigour, the French forest law of 1827. Rules for the restriction of pasture which may be suitable enough in France are extended and enforced in a country where the very idea of a reserved forest is new, and where two-thirds of the population depend wholly or partly on the pasturage of cattle. So far as the tree forests of pine or cork or ilex are concerned, the natives recognize some justice in the reservation of fellings; but even then they contend that the cattle, which eat grass or brushwood only, should be allowed to graze. As regards the low scrub which constitutes a large part of the forest area—a sort of Algerian ‘bar’ country, which the forest officials are reserving in the hopes of a very problematical reboisement in the distant future—the native looks on reservation as pure robbery. These are the lands on which he has always been accustomed to pasture his cattle; but now, when he enters them, he is at once arrested by a French Government guard, is dragged before a Court, and is fined heavily for contravention of the French law of 1827. The forest officials, almost all Frenchmen, are the riff-raff of the French service, the ‘mauvais sujets’ who are exiled to Algeria as a punishment for misbehaviour in France. They are often not resident in their circles, and they are freely accused of bringing false cases against innocent Arabs in order to hide their own delinquencies. The reformers wish to improve and to increase the service; and, though the wisdom of increasing their numbers may be doubted, they are certainly in need of improvement, for there is no class of Frenchman more heartily hated by the Arabs than the forest officials. To the Arabs the whole forest administration presents itself as a fraud and an injustice. If, as is often the case, the forest boundaries are not clearly marked on the ground, the Arab becomes a trespasser before he knows it. If he runs his plough over half an acre of new land, he runs the risk of being fined for cultivating in a reserved forest. Or he may own a holding which is surrounded on all sides by reserved forest, and then he can move neither hand nor foot. The Arab is therefore in a constant state of conflict with the forest officials. Some 12,000 forest cases are heard in the year, and the natives are more harassed by this one department than by all the rest of the administration put together. The result is what one might have expected—a continuous succession of forest fires. ‘Les indigènes,’ as one writer puts

it, 'sont dévorés par les procès-verbaux et les forêts sont dévorés par les incendies.' Whenever there is any political unrest, as during the Kabyle rebellion of 1871, or the Tunis campaign of 1881, the forests are burnt on every side, and even in ordinary years the average area fired is not less than 120,000 acres. The administration has hitherto failed to cope with these conflagrations. Excessive fines are freely imposed, both on individuals and on communities : but the trouble still continues. Private forest owners have at times obtained large sums from the Government as compensation of a political character, and large portions of the immense fines annually inflicted are found to be quite irrecoverable. The financial position of the Algerian forests presents, indeed, a curious spectacle. In the Punjab, for a forest expenditure of 6 lakhs of rupees, we expect a return of at least 9 lakhs, and in other provinces of India we should expect a great deal more. In Algeria, however, where the annual expenditure is 2 million francs, the receipts, including those from fines, do not succeed in yielding a surplus, and of the 2 millions or so received, 1½ millions are the proceeds of the fines ! Verily, as a deputy has put it, 'la forêt, pour l'indigène, c'est l'ennemi.' And why ? Because the forests are controlled entirely by a departmental agency. Instead of being subjected to the authority of the local Governor-General, they are administered direct from the central bureau in Paris. The Parisian officials, who know the splendid results achieved by the Forest Law in France, walk boldly along the same path in Algeria. It is their business to create and protect forests, to prevent trespass and damage, to sell timber and cork. They have no concern with the pastoral wants of the people, with their agricultural requirements, with their political grievances. Hence the stern and unsympathetic administration which causes so much discontent, and hence the suggestions which have recently been made for placing the forests under the control of authorities who know the local wants and who represent the Government in its other relations towards the land. It has yet to be seen what comes of these suggestions.

In the dealings of the French Government with respect to landed rights, there are traces of the same abruptness and want of sympathy which characterizes their forest policy. The French in Algeria have encouraged the individualization of landed property, and they have done so, not indirectly or grudgingly, as we have in India, but directly and, as it were with malice aforethought. Previous to annexation, the titles to land, though vague and undefined, were on much the same footing as elsewhere in the unregenerate East. There was a general idea that the Bey was owner of all the land, but there were certain

lands appertaining more especially to the Beylick and supporting tenants who paid rent to the State, and there were certain other lands which were held by individuals or by small groups upon a sort of freehold, transferable tenure, independent of the State. But the bulk of the land was held in commonalty on payment of revenue by tribes or septs, which in some manner or other recognized the Bey as their 'álá málik', the proprietor 'à titre éminent,' without whose permission no land could be alienated. This traditional lordship of the State was at first maintained by the French Government and used as a means for extending colonization. Where the area held by a tribe was too large for its requirements, the 'excess waste' was cut off and peopled with French colonists. But the claims of the State were not allowed to remain for long in this position. The absolute want of definite boundaries to the old Beylick demesnes incited the French in 1863 to pass a senatus-consultum, providing for the proper survey of the country and the due separation of State lands from tribal lands. The same enactment went on to decree that henceforward all tribal lands should be held to be no longer the property of the State, but the property of the tribes that held them—a sweeping measure, indeed, but one to which Bengal and the Central Provinces in India have afforded analogies. This order of 1863 put a stop to colonization on excess waste, for such waste was now tribal property, and henceforward all land, other than State land, which was required for colonization, had to be acquired from the tribesmen. This, however, was easier said than done. The Arabs held all the land, and, as the consent of the whole tribe or sept was necessary before an acre of their land could be alienated, the Arab's land was practically untransferable. If this state of things had continued, there would have been a dead lock in the colonization, and, besides, how was the Arab to become 'assimilated' to the European if he continued to hold his land on so barbarous a system? In 1873, therefore, a law was passed under which any member of a tribe or sept could claim a partition of the tribal property, so as to provide for himself therefrom an individual freehold estate. The mere fact of partition does not give a clear title, for the courts have held that titles granted under the procedure of the law of 1873 do not necessarily exclude titles established previous to the passing of the law; and, when it is remembered how numerous are the shares and how complicated the rights in tribal property, the consequences of the law may well be imagined. The situation as regards the colonists is little better than before. If they want to purchase direct from the natives, they run great risk of being dispossessed for want of title. If they wish to settle on land which the Government has acquired by expropri-

ation, they obtain, indeed, an indefeasible title, but the Government, in order to give its award, requires each tribesman to establish his claim to the acquired land, and this entails endless litigation and delay. Nor have the natives themselves benefited by the law as it stands. The Arab village contains no resident 'patwari,' and the business of partition involves the intervention of a host of European lawyers, clerks, surveyors, draughtsmen and the like, so that the cost of partition is often not less than that of the land divided. With the partition, too, comes the power of alienation, and the power of alienation has only incited the tribesmen to plunge wildly into debt on the security now offered to them. The cost, moreover, of the surveys entailed by the measures of 1863 and 1873 is recovered from the people by a general cess, and, when it is stated that the cost is calculated to be little less than 3 francs an acre, it can well be understood that the expenditure has been quite incommensurate with the benefits obtained. The surveys are still far from complete; and, indeed, of late years their progress, at least among the Arabs of the interior, has been purposely discouraged. The Government is now casting about for some new method of dealing with property in land. Some of its advisers, by way of bridging over the period of transition, suggest an encouragement of family, as opposed to either tribal or individual, property. Others, again, would retain the power of partition, but would guarantee a title in each case, and record the same in registers prepared after the Torrens system.

Whatever plan is adopted, it is not unlikely that some transformation in the rights of property may be effected, with the direct object of preventing the alienation of land to usurers. The tribesmen in Algeria are, as a rule, small holders, and the cultivation of land by tenants is not very common. To these small holders the sudden grant of the power of alienation has proved too great a temptation, and their first instinct has been to raise money on their newly-formed property. An Act was, I believe, passed in 1887 to restrict the acquisition of land by persons other than those already holding land in the sept or tribe, but the inadequacy of the existing law is well evidenced by the following quotations which I have culled from recent utterances on the subject. When, for instance, a commission of enquiry, presided over by M. Jules Ferry, was at Bone in 1892, a native witness tendered his advice concisely in the words: 'si on veut instituer la propriété individuelle, il faut appliquer l'obligation de ne pas vendre ni hypothéquer.' In another place, visited by the same Commission, a native assistant administrator explained the case as follows:—

'Les Arabes', he said, 'n'ont pas besoin de la mobilité de la terre. C'est pour eux l'occasion de dilapider leur fortune, et quand ils sont

ruinés, ils deviennent mauvais et pervers, pratiquant ce proverbe, ' Mange aujourd'hui, Dieu demain te nourrira.' L'adjoint en conclut ' que l'état devait garder le domaine éminent des terres dont il leur concède la jouissance ; c'est la seule manière pour eux de ne pas être promptement dépouillés '

And another native, a French-educated lawyer, is still more explicit in his language to the same Commission :—

' Les lois constituant la propriété individuelle eussent été de grands bienfaits, si le peuple indigène était parvenu à sa majorité intellectuelle : mais il est encore mineur, et en ce moment les spéculateurs arrivent à dépouiller l'indigène et à le rendre simplement locataire du bien qui était autrefois sa propriété. En 1832 on avait compris que l'indigène ne pouvait vendre sans l'autorisation de l'administration.

Les biens des Beni-Urchin, aux portes de Bône, n'appartiennent plus aux anciens propriétaires qui ont obtenu depuis quatre ans leurs titres de propriété. Ces propriétaires sont actuellement locataires à 15, 25 et 30 francs l'hectare de leurs anciennes terres. Si ces procédés se prolongent, l'Algérie sera peuplée des malfaiteurs.

Pour constituer la propriété il faut rappeler la disposition de 1832 et empêcher le cultivateur indigène de vendre sa terre. Quand on est ruiné on est tout prêt à commettre un crime.'

And a deputy, in reporting to the Chamber in 1891, writes :—

' L'usure existait sans doute en Algérie avant nous. Ce qui est regrettable, c'est que notre civilisation ait fourni à l'usure des instruments nouveaux et plus puissants.'

Is there a word or a thought in these quotations which we have not heard here in India ?

To tell the truth, the French have much the same foreboding in respect of these debts (whether secured on the land or on the crops only) as our Government has in respect of the debts of the Indian ryot. The indebtedness of the people leads, as the quotations show, to crime and brigandage. It also leads to the substitution of Jews and Maltese for Arabs, either as local capitalists, or as actual proprietors of the soil : and ' one Arab,' as an administrator said to me, ' is worth ten Jews.' The Jewish question is as acute in Algeria as elsewhere : the Jew is to be found in every corner ; and almost everyone, colonist or native, is in his books. He is particularly detested by the nation. The great rebellion of 1876 was certainly due in part to the political privileges which the Government had just then conferred on the Jews. An increasing number of the small posts under Government are being monopolised by the Jews. The Jews sway the elections, and the Government officials have to be careful how they offend them. There is not the slightest doubt that, if the Arabs had their way, there would not be a Jew left in Algeria to-morrow. In fact, the more ignorant of the Arabs care little how much they borrow from the Jew, for their idea is—and have we not heard echoes of the same idea nearer home ?—that, before many years have passed, the Feringhi

will have been driven back into the sea, and that, when the Feringhi's restraining arm is withdrawn, the infidel money-lender will—by the grace of God, the Compassionate, the All-merciful—be left under the heel of the true believer. What wonder if such men should always be looking for the day of redemption, and doing what they can to hasten its advent? The French have, therefore, more reasons than one for combating this curse of agricultural debt. They have a gallant peasantry to maintain intact, and, if they fail to do this, they run the risk of finding themselves seriously hampered by a criminal and seditious proletariat of their own contriving.

Many serious efforts have therefore been made to provide cheap money to the native peasant. The Departments have, after famines, lent them seed or money on short terms, but without any marked success. The more stately European establishments, such as the *Crédit Foncier* and the *Comptoir de l'escompte* have stepped into the breach, but their ways are too pompous and expensive for the ordinary native, and their rigidity terrifies him. To any one who knows the natives of India the following quotation from the evidence of a French 'administrator' will explain itself:—

'Entre une caisse de crédit qui prêtera sur garanties suffisantes au taux usuel en Algérie de 8 ou 10%, et l'usurier qui sur égales garanties ne le prêtera qu' à 30%, l' Arabe n' hésitera pas une second : il préférera le taux de 30%, et en voici la raison : il sait très bien qu' en banque le jour de l' échéance est fixe, qu' il n' y a ni délais ni remises à espérer et que s' il ne paye pas le billet souscrit dans les vingt-quatre heures de la présentation, il sera immédiatement saisi et vendu avec tous les frais qui pourront en résulter . . . il s'arrangera donc de préférence avec l' usurier qui, moyennant une Commission supplémentaire, consentira autant de renouvellements successifs que l' indigène voudra si la garantie est encore suffisante.'

Some firms, to avoid these difficulties, have lent to the tribesmen on their chief's security; but the chief, again, does not give his 'security' for nothing. In other places, the local 'administration' have arranged for tribal contributions to tribal insurance funds, and these local arrangements, under various modified forms, are said by their supporters to have attained some considerable degree of success. But, after all, the idea of restricting alienation would seem to be as much in favour as that of replacing the usurer by artificial means, and it is not impossible that some form of restriction may be adopted. The conception of individual transferable rights in property has not taken root in Algiers as deeply as it has in most parts of India, and, although the prohibition of transfer is looked on as a retrograde measure and subject to numerous drawbacks, there is no feeling among either the French or the natives that it would be in any way an unjust revocation of rights already granted. France is the last country in the world

to acknowledge that the measures of the past are irrevocable, and that the Gods cannot withdraw their gifts.

The system pursued in the taxation of the land is somewhat rudimentary in its character. The French have now introduced the continental 'impôt foncier' into Algeria, and, so far as the Arabs are concerned, they have contented themselves hitherto with retaining, under certain modifications, the old 'achour,' or tithe tax, paid in pre-annexation times. The country has never been cadastrally surveyed, and there is no resident agency for maintaining the maps and land-record, so that it is impossible to observe the minuter details which characterize our present Indian systems. At the same time there is no such thing in Algeria as a contract term or period of settlement, and there is no recognition of joint responsibility. The problem, therefore, is to fix an annually varying assessment, not by tribes merely, but by individuals. This work is entrusted to a service of 'repartiteurs,' a branch of the great army of French 'fonctionnaires' in Algeria, men who are trained to estimate the value of land and of crops at a glance, and who fix their assessments independently of any aid other than that of the local sheikhs whose villages they are assessing. That such an agency, though European, should occasionally be venal or partizan, that it should often be slack or irregular, is, no doubt, inevitable; but the chief ground of complaint in respect of their work is the want of uniformity with which it is carried out, and this, too, considering the want of maps and records, can scarcely be avoided. The men have, moreover, an immense area to work over, and they have to get through their work in the spring while the crop is growing, and before it is ripe. The unit of assessment is the 'plough', an area which varies according to the soil, but which, on an average, is about 25 acres: and the first thing the assessor has to discover is the number of 'ploughs' cultivated by each revenue-payer. He then observes the crop, which is generally wheat or barley, and classifies it, according to its quality, under one of four heads, *viz.*, very good, good, moderate and bad. When this has been done, all that remains is to calculate the amount of the land-revenue according to a fixed scale laid down by Government. For instance, if a man has cultivated one plough of wheat, and that wheat is classed as 'very good,' the outturn of the wheat is assumed to be 20 quintals, or 55 maunds (a little over two maunds to the acre), and the value of the crop, at the assumed commutation price of 22 francs a quintal, will be 440 francs, of which one-tenth, or 44 francs, will be due to the State. In the same way, if the crop were classed as 'bad', the revenue due would be 11 francs only. So that the assessment on a

'plough' of wheat would vary between 11 and 44 francs, which, for an average plough of 25 acres, would bring out an assessment of $\frac{1}{2}$ a franc to 2 francs, or, say, 5 annas to 20 annas, an acre. And for barley the results are the same, the outturn being taken as double, and the price as half that of wheat. The system is, no doubt, rough and ready; for instance, the value of the assumed outturns depends on the size of the 'plough,' which apparently is left to chance, and the commutation rates are those fixed in 1874, although prices have risen somewhat since then. But, in view of the lowness of the assessment and the vast quantity of cultivable land available, the method is considered reasonable enough, and it combines large elements of fluctuation with the minimum of harassment. The ideal (which our Indian revenue officers despair of) is a tax which shall vary with the area cropped, the nature of the harvest, and the price of the grain; and the French system, though neglecting the prices, attempts in some measure to achieve the task of accommodating the revenue to the area and to the harvest: but the success or failure of the system rests entirely on the character of the 'repartiteur,' and this introduces the very weakness which confronts so painfully our revenue reformers in India. The method above described of classifying the character of the outturn is in force in two out of the three Algerian departments. In the department of Constantine, the assumed outturn per 'plough' is a fixed average, based on the ascertained mean of previous years, and does not vary with the character of season. The result is what Indian experience would have suggested, *viz.*, that in Algiers and Oran, the people clamour for a fixed rate per plough, while in Constantine they are equally anxious for a change to the method of assessing according to the season!

The land-revenue is a racial tax, known as the 'impot arabe.' The French colonist pays no land-revenue, but, if he lets his land to an Arab, the Arab has to pay land-revenue on the area leased. All parties seem agreed that some form of 'impot foncier,' as in France, must be introduced before long for the colonized lands, and ultimately for the Arab lands also: but delay in the case of the latter is considered necessary until the system of individual property has been more fully developed. When the 'impot foncier' is introduced into Arab holdings, the 'impot arabe' will be abolished.

As regards the octroi, the customs and the various forms of taxation which are especially designed to hit the colonists, I do not propose to speak, but I may note that the land-revenue is not by any means the only tax which the native pays. If he owns camels, or sheep, or goats, or cattle, whether agricultural or otherwise, he pays a sort of 'tirni,' known as the 'zekkat,' on each item from the day of its birth. If he owns

date trees, he pays a fixed amount per tree, whether male or female.* He also pays a tax on his house or shanty, and pays cesses for various objects, amounting to 22 per cent on the land-revenue. He is also obliged to maintain the neighbouring roads, either by personal service for a certain number of days in the year, or by payment in commutation. And he is liable at various times to be called on to do 'chaukidari' for the colonists, to help in protection against forest fires, to join in a campaign against locusts, and so forth. Taken all round, however, the taxes (except perhaps in Kabylie, where there is a special capitation tax), do not appear to be unduly harsh; and, though the people complain, as they always will, it is doubtful whether they have much real ground for complaint. In the matter of collection, they have certainly a grievance, for the various taxes, instead of being collected at one time and in one lump, are carefully 'échelonnées' over the whole year, but the actual incidence does not seem to be excessive.

I have no time to discuss the great benefits which the Medical and Public Works Services have done to Algeria. These achievements have been prompted by much the same motives and have been conducted on much the same lines as those of the corresponding departments in India. Commercial and State Hospitals and dispensaries are freely scattered over the country, and they are freely used by the native population, although (as in India) the trust in European medicine is less implicit than the trust in European surgery. The French irrigation works are, of course, not to be compared with those which we have constructed in India; but the 'barrages' which have been constructed in various parts of Algeria are fine structures, and suited to the requirements of the country, as are also the artesian wells with which the French engineers have transformed the face of the northern Sahara. The high roads, too, as one would expect, are numerous and magnificently maintained, while the development of railway communications, in recent years has been very rapid. In these various ways, the material resources of the country have been strikingly developed; by these various means the great task of 'assimilation' has been strenuously assisted; and it is in these forms of energy that the French administration shows its brightest and most promising side. I must, however, be content merely to have mentioned these flourishing departments of progress, and must pass on to speak of the great obstacle which at every turn confronts the French in their mission of 'assimilation', namely, the religion of the people.

* A comparison of the French rates with those in force in the S. W. Punjab for cattle, &c., and for dates, shows the former to be considerably the higher, but of course the higher cost of living in Algeria must be taken into account.

The Mahomedanism of Northern Africa differs in some of its characteristics from that to which we are accustomed in Northern India. There is no other native religion alongside of it to weaken and corrupt it, as Hinduism has done in so many parts of India, and it maintains within itself an intolerant fanaticism as prominent as, and perhaps more powerful than, that which animates the Pathan tribes of our frontier. It is true that, in the large towns, or among the officers of the native troops, you find Arabs who have few enough scruples about drinking wine, and are generally lax in their religious observances. It is true also that you do not find fanaticism displaying itself in the mutilations of statues and pictures of living beings, and that the Roman art of Timgad and Tebessa has a better chance of surviving than have the Buddhist figures of Shabbaz garhi or Takhti-Bahi. But, in the essentials of the faith, and among the people at large, there is an immense underlying mass of religious feeling, which, for want of any nearer enemy, spends itself in consistent opposition to the unsympathetic administration of the Christian conquerors. The country is covered with little shrines, the tombs of saints or 'marabouts'—small domed buildings like the Pirkhanas of the Central Punjab—and it is by visits to these tombs and by miracles there performed that the religious fervour of the people is chiefly maintained. At the ordinary mosques, you find the mullas outwardly decorous, and on the side of order; it is at the wayside shrine, or at the petty village Koran School, that the more fiery spirits find their sphere of action. It is in connection with these informal outpourings that the French find their greatest difficulties. For the business is conducted by a multitude of 'Khouans,' or religious brotherhoods,—to which our Indian Mahomedanism affords no parallel, except it be in the occasional missions of Wahabi preachers. Fortunately for the French, these brotherhoods, though severally mischievous and influential, are under no united organization, and can be separately dealt with. They seem, however, to foster a dangerous spirit of reliance on foreign support, for almost every brotherhood has now its headquarters in Morocco or Tripoli, outside the boundaries of Algeria, and the movements which they represent are to a great degree political as well as religious. The ordinary 'Khutba' of the mosques no longer prays for the Caliph at Stamboul; but it refuses to substitute the President of the Republic, and contents itself with invoking a blessing on all who support and favour the cause of Islam. The people are well acquainted with the doctrines of the Jihad which has from time to time so troubled us in India, and they are all imbued with an expectation of the early advent of some great Deliverer, who shall sweep away the Feringhi and restore the glories of Mahomedanism. While, therefore, the religious ardour of the people is in

itself insufficient to overcome the lack of religious organization, the general spirit of unrest is always present, to be utilized by any political leader who may arise to arm the Arabs against their conquerors ; and the past rebellions of 1876 and 1878, though not prominently religious in their character, derived not a little of their serious aspect from the latent fanaticism which they evoked. With every day, however, that the French remain in the country, the power of this fanaticism decreases, and there can be no doubt whatever that the religious enthusiasm of the people is gradually waning, and that time and peace alone are needed to deprive it of its possibilities of danger.

At the same time, this religious feeling remains and might long remain, even in its quiescent state, a very serious obstacle to the French schemes for the internal development and assimilation of the country. To the Arab religion is so much that there is scarcely a question of civil administration which the religious element does not in some degree or other enter. We have seen how the law of the country, which the French have had to modify, is not a mere customary or local law, but a religious code ; and the rights to property, the rules of inheritance, the share of the land-revenue, the whole list of punishments, and the whole system of contractual rights were, and to some extent still are, matters, not of convention, but of religious duty. We have seen how utterly opposed a plan of purely secular education is to the native sentiment of the country, and how the religious sanction of polygamy has rendered abortive the French schemes for naturalizing the native population. Against this mass of dull obstruction, the heart of every French administrator secretly rages. Not, indeed, on the ground of religious fervour, for the character and training of the officials precludes this, and there are no organized religious influences in Paris which would aim, as ours in London so often have done, at directing the policy of the colonial administration on purely religious lines. There have, it is true, been some few attempts at proselytism by Catholic fraternities in Algeria, chiefly under the influence of the late Cardinal Lavigerie ; but their success has been infinitesimal, and they have not received the smallest encouragement from the Government or its subordinates. When, therefore, we find the local officers complaining, of the enormous mischief done by ' that little octavo volume, the Koran, ' they are talking from the point of view, not of Christianity, but of civilization. They fret against the restrictions which Mahomedanism imposes on the material progress of the country, and they hope vaguely that by degrees the religious influences of Islam may be confined to the sphere of purely religious duties, so that the Arab may be left in matters of common life to follow the dictates.

of the civilized world. They point out the restrictions which have been gradually imposed on the power of the church in Europe, and they expect that similar restrictions may by degrees be accepted by the followers of Mahomed in Algeria. They point out, truly enough, that the whole of the religious Penal Code has been swept away without arousing a hint of religious dissatisfaction. They draw attention to the recent changes in civil jurisdiction, the gradual spread of education, and the civilizing influence of French colonization; and they express a hope that the country may soon be ripe for such forward measures as a prohibition of shallow burial or a definition of the age of consent in marriage. In actual practice the French have felt their way cautiously, as we have in India, regarding matters connected with the religious feelings of the people, maintaining at the same time a constant pressure in the direction of progress. In dealing with the 'Khouans,' or religious brotherhoods, they have, it is true, been rigorous enough, and, as it is only by constant police surveillance and constant deportation of dangerous characters that the action of these fanatical associations can in any way be curbed, they are more than justified in their rigour. A less defensible policy is that pursued with regard to religious endowments, and it must be admitted that the French love for uniformity, regardless of equality, has not led to any happy results in this direction, for, in order to preserve the same religious attitude in Algeria that has been adopted in France, the Government has disendowed the whole Mahomedan Church, and doles out to it in exchange an annual grant of some 26,000 francs, which is spent under Government direction in the repair of a certain number of mosques, and the maintenance of a certain amount of worship. The general application of a law of this sort would create in India an amount of repulsion, and perhaps of disturbance, that no Government would care to face, but in Algeria the situation has somehow or other been accepted, and, as you travel through the villages, you constantly come across large placard notices of the intended lease by auction of such and such lands, formerly devoted to religious purposes, and now the property of Government. What makes things seem the more unfair is that the sum allotted to the Mahomedan population in the religious budget is ridiculously small in comparison with that devoted to the other forms of religion. The following are the figures for 1891:—

		Sums allotted in the budget.	Population.
Catholics	...	808,183	482,000
Protestants	...	94,058	10,000
Jews	...	25,925	47,600
Mahomedans	...	261,340	3,567,000

There is no press or educated public opinion which can ventilate their grievances in a way which would make the Government uneasy ; but the result of these arrangements is that the regular mullas and marabouts are gradually driven to leave the mosques and to maintain themselves by fanatical teachings and miracle-workings at the shrines of saints, where they are far less under control and far more liable to do mischief than in the ordinary services of religion. This tendency has been recognized by the French, and efforts will no doubt be made, by some means or other, to support these people and to make them loyal, but I mention the circumstance as illustrating the kind of danger to which the French administration is so constantly exposed in dealing with the religious environment of the Arabs.

ART. IV.—THE KAFIRISTAN AND THE KAFIRI TRIBES.*

A BRAVE and most interesting race of people, who have maintained their independence during the course of ages, is being sacrificed to slavery, and probably to extinction by a nation which prides itself on its love of freedom and hatred of slavery, and yet has abandoned the Káfirí tribes of the Hindú Koh to the Afgháns, who, like all the Mahomedans who preceded them, have long desired to reduce these poor people under their yoke.

While the Anglo-Indian Government has been taking away nearly every Afghán tribe from its Afghán head and natural ruler, the only mainstay of the existence of an Afghán State—"a strong Afghánistan," as the politicians are pleased to style it,—it has made over these unfortunate Káfirís, as a sop, in exchange for his own Afghán people, whom it has thus alienated from him, to the Afghán Amír, and to the tender mercies of his bigoted, cruel, slave-making people.

One of the objects for which the Afghán border tribes are said to have been selected for annexation is their "fighting qualities;" but the Káfirís are in this respect of still better quality, and have hitherto, although so weak in comparison and badly armed, maintained their entire independence for centuries past, against all comers without intermission, which the Afgháns have never been able to do. Had the Anglo-Indian Government annexed Káfiristán at the same time as Chitrál, we should have had a grand barrier against an enemy from the North-West or South; and better fighting material could not have been found in Asia, nor was there a more promising field for missionary labour.

Some 22,000 ruthless Afghán and other Musalmán troops, armed with all the most recent weapons of destruction, including artillery, have been let loose upon these wretchedly armed people from three or four different points, while the freedom-loving British look on.

Thirty-eight years ago I gave some account of this ancient people in the *Journal of the Asiatic Society of Bengal* (Vol. for 1858); and I have always taken great interest in them. They have, however, been several times "discovered" since I first wrote: the last and latest discoverer of "Kafiristán," as he styles it, discovered that no one knew any thing about them but himself, yet he appears to be innocent of any knowledge of any Oriental language but colloquial Hindústání; he probably came in contact with some of the frontier Káfirís,

* This paper was written before news of the operations of March last against the Kafirís reached England.—ED., C. R.

despised by their own people, and may have communicated with them at second, or even third hand, through native interpretation ; he cannot even spell their names correctly ; and he certainly never entered their real country at all.

Since I first wrote about the *Si'áh-Posh Káfiris*, I have obtained much further information on the subject, and have found them mentioned continually in the histories of the neighbouring tracts of country. At this crisis in their fate, a brief account of them and their mountain homes may not be unwelcome.

These Káfiri tribes have no particular history of their own, as far as I was able to discover when I first wrote on the subject. Neither have they any written character whatever ; but they all speak the same language, with a trifling difference, such as dwelling in separate localities might occasion. Most of the chiefs of the parts around distinctly claim European descent ; the Káfiris have always called themselves, since they first heard of us in India, "brethren of the Farangs, or Franks ;" and when at last the British invaded the Afghán State in 1838-39, they entertained great hopes of deliverance from their Mahomedan persecutors, who surrounded them on all sides, and had scarcely ever left them at peace during many centuries. On that occasion, the Káfiris made an effort to enter into friendly intercourse with us, and despatched a deputation for the purpose, at the time when the subsequently murdered envoy, Sir W. H. Macnaghten, was at Jalál-ábád along with Sháh Shujá'-ul-Mulk, in December 1839 ; but they were treated with contemptuous coldness, if not rudeness, as I previously related in my account of them in 1858. The anecdote I then related about it has been many times appropriated since by several who have written about this people, but without acknowledgement, but so garbled, that I think I had better relate it again.

The circumstance was related to me by an officer of Conolly's acquaintance, and of my old corps, who served in the Sháh's contingent, and was a fellow prisoner with Lady Sale and the other captives, and who is still living :—

"In the end of 1839, in December, I think it was, when the Sháh and Sir W. Macnaghten had gone down to Jalál-ábád for winter quarters, a deputation of the *Si'áh-Posh Káfirs* came down from Múrgal to pay their respects, and, as it appears, to welcome us as relatives. If I recollect right, there were some thirty or forty of them, and they made their entry into our lines with bagpipes playing. An Afghán *peon* [orderly] sitting outside Edward Conolly's tent, on seeing these savages, rushed into his master's presence, exclaiming, 'Here they are, Sir ! They are all come ! Here are all your relations' Conolly, amazed, looked up from his writing, and asked what on earth he meant, when the *peon*, with a very innocent face, pointed out the skin-clad men of the mountains, saying, 'There ! don't you see them ? your relatives, the Káfirs ?' I heard Conolly tell this as a

good joke, he believing at the same time that his Afghán attendant was not actuated by impudence in attributing a blood connection between his master and the Káfirs. The Káfirs themselves certainly claimed relationship, but I fear their reception by poor Sir William was not such as pleased them, and they returned to their hills regarding us as a purse-proud people, ashamed to own our country cousins."

The Afghán attendant was only stating what was universally known among the people of these parts, that the Káfirs claimed European descent.

A grand opportunity for entering into friendly intercourse with them was thus thrown away. On the next occasion of invading the Afghán State in 1880-81, while our troops occupied Jalál-ábád, when several officers were anxious to enter their country, and some even imagined they had done so, the Káfirs made no collective and unanimous attempt to enter into friendly intercourse. They had had enough of their Farangi brethren, who now have betrayed them to the Afghán.

The stock from which most of these Káfirs probably sprung may be said to be more truly Greek than the people who occupy Greece at present. The followers of the Macedonian Alexander, as we read in the accounts of his campaigns, recognised in them the descendants of a still older Greek colony, planted in the parts they occupy, by Dionysus, and the Bacchic dance, and remains of orgiastic worship of Dionysus, as well as other evidently Hellenic memories, are still existent among these people. It is a curious fact that the Mahomedan historians, for the last eight or nine centuries, continually mention that the petty rulers of the small States of Badakhshán, Chitrál or Káshkár, Koshán, Shighnán, Wakhán, and Darwáz, all distinctly claim descent from Zú-l-Karnain, that is, Alexander of Macedon, the latter chief from "generation to generation."

The intelligent Mír, Sháh Rizá, the Bádsháh, or Chief, of Drúsh of Chitrál in the last century, in referring to this part of the great range of the Hindú Koh, namely Tírach Mír, Kund, or Sarowar, as it is also called, by different races of these parts, which stretches eastwards to Káshghar of Turkistan, and westwards as far as Hirát, in showing this part of the great range to the authority I am here quoting, who was in Chitrál with him for some time, repeated these lines respecting it :—

- "Zú-l-Karnain went towards the Koh-i-Kaf,
- He saw it was a mountain like an emerald clear.
- He said : 'Thou *art* indeed a mountain ! What are others
- That they can supersede thee in thy vastness ?'
- It said : 'These (other) mountain (ranges) are my veins,
- But in splendour and beauty they do not equal me.'

To these people of Hellenic descent, the persecutions and violence of the Mahomedans from early times, have added

Tajzik or Iráni elements of the creed of Zardusht, on the west and northern sides of their country, and some others of the Buddhist and Brahmanic faiths, on the east and south.

The earliest Mahomedan invasion of the southern portion of their then country that we know of, was under the Turk Sultán, Mahmúd, ruler of Ghaznih. The Gardaizi, the Tajzik author of the "*Zain-ul-Akbar*," so called from being a native of Gardaiz ("Notes on Afghánistán," p. 684), who wrote just thirty years after it took place, says, in his History, that "shortly after Amír Mahmúd returned from his expedition against Rájah Nandah of Kinnauj, in 410H. (1019-20 A.D.), intimation reached him that there were two *darahs*—a *darah* is a long narrow valley with mountains or hills on either side, and a river running through it—one known as Kirát and the other Núr. The Amír was told that these were strong positions, and that the inhabitants thereof were Káfirs (which word, it must be understood, does not specially indicate the people here under notice, but non-Musalmáns generally) who worshipped idols. The Amír, in consequence, resolved to enter those *darahs* with his troops; and he gave directions that a number of artizans, such as blacksmiths, carpenters, stone-cutters, excavators, etc., should accompany the troops, who were to fell trees, split rocks, and clear the routes, as the forces advanced. When they had arrived in those parts, Kirát was the first object of attack. It was a place of sanctity; its people were lion-worshippers, its climate cold, and its fruits abundant. When the Sháh (as he is styled) of Kirát heard of this hostile movement, he came forward and submitted, and sought Amír Mahmúd's protection. He was received with honour, and well treated, and embraced the Musalmán faith, along with a great number of his people [to save their lives probably]; and teachers were left to instruct them in the tenets and canons of the Mahomedan faith.

"The people of the Darah of Núr, on the contrary, were contumacious; so the Amír Mahmúd directed the Hájib (Chamberlain) 'Alí, son of I-yal-Arsalán, to advance into that *darah*, which he did. He reduced it, raised a fortification therein, and left a garrison to hold it under 'Alí, son of Kadr-i-Raják, with directions to force the contumacious people to bend their necks to the yoke, and compel them to embrace the faith of Islám." This happened in 411H. (1020-21 A.D.); and the author says that the true faith soon began to prosper therein.

The Darah of Núr still retains its ancient name; but the identification of Kirát is difficult, and can scarcely refer to the tract inhabited by the Kaṭor before their late, almost entire, extermination.

The Ustád, or master, Abu-Rihán, a contemporary of the

Gardaizi, says, respecting the river of Kábul and its tributaries, that, having passed by Lamghán, the united streams join near the fort of Darúnthah [a well-known place a few miles N. W. of Jalál-ábád. See "Notes," pages 99 and 101], and fall into the river of Núr and Kirát. "After this junction," he says, "the united waters meet together opposite the town of Parsháwar," which stood near where Pas'haur, now Pes'háwar, stands.

The first time these identical Káfiri tribes are distinctly mentioned by name in Mahomedan history, is in the time of Amír Tímúr, the Gúrgán (*vul.* Tamerlane) the Burlás Mughal, who made a raid upon them when on his way from Samarkand to Kábul to invade Hindústán.

Amír Tímúr, having set out from his capital in Rajab, 800 H. (April, 1398-A.D.), passed Buklán, or Bughlán (k and gh are interchangeable), and reached Undar-Âb (Indarab of the map), on the northern slopes of Hindú Koh. There the people complained to him of the outrages inflicted on them by the Káfirs of Kaṭor, and the S'áh-Poshán, that they (the people of Undar-Âb), being Musalmáns, the Káfirs every year extorted money from them and demanded tribute; and, if they delayed paying these demands, they slew their males and carried off their women and children into captivity. They might have added, just in the same manner as they, the Undar-Âb and other Musalmáns, treated the Káfirs.

Abú-l-Fazl, in his account of Amír Tímúr's expedition against them, calls the former Hindúán-i-Kaṭor, *i.e.*, Hindús of Kaṭor; and, in describing the boundaries of Buner, Suwát and Bájawr (*vul.* "Bajour"), he says they are bounded on the north by Kaṭor and Káshkár (or Chitrál). This shows that the people he calls Hindúán of Kaṭor, refer more particularly to those whom others, presently to be mentioned, call Safed-Poshán, or White-clad Káfirs, in distinction to S'áh-Poshán or Black-clad Káfirs, who are the people whom the Afgháns are doing their best to exterminate.

To return to Amír Tímúr. As he had expressly undertaken this expedition to carry on holy war against infidels generally, he determined to move against these Káfirs in person. Three out of every ten men of his army were selected for this expedition; and the Amír-Zádah, Sháh-Rukh, was left behind in charge of the rest of the army and baggage at the *belak* of Ghúnán and Yaktúr (or Baktúr).

Amír Tímúr pushed on, making two ordinary marches each day, until he reached a place called Parfán. From this place he detached a force of 10,000 men from his left wing, under the young Amír-Zádah, Rustam, and Burhan, Ughlán, the Kaiát, against the S'áh-Poshán [farther to the south], while he himself continued to move in the direction of the Káfirs of Kaṭor

When he reached Kháwak, near the north-west skirt of the mountains of Kaṭor, he found there a fortress in ruins. He directed that it should be forthwith repaired and garrisoned, and most of the Amírs, and all the soldiers, left their horses there, and began to ascend the mountains on foot.

Notwithstanding that the sun was in Gemini (end of May), and the air warm, the snow was so deep that the horses' legs sank into it, so that they could not get on. Tímúr therefore continued his advance up the mountain range in the night, at which time the snow froze, and, in the day time, when the snow began to thaw, halted, placing the few horses with the force on woollen cloths and felts, to keep them from sinking into it, and again commenced to push on towards the close of the day. The troops continued to move onward in this manner until they had ascended another mountain range, exceedingly lofty. Here those Amirs who had brought their horses along with them sent them back, and proceeded on foot, like their men.

As these infidels had taken up their quarters in the *darahs*, and as, from the mountain range on which they then were, there was no road by which to descend and gain access to those places on account of the depth of snow, a number of Amírs and troops of the right and left wings lowered themselves down from the mountains by means of ropes, while others, lying on their backs on the surface of the snow, slid down, until they conveyed themselves to the more level ground of the valley beneath.

They made a sort of wooden sledge for Amír Tímúr, to which iron rings were attached, and to which rings ropes were fastened, each about one hundred and fifty *gaz* (ells) in length. In this Tímúr was seated, and a party of troops lowered him down in this sledge as far as the length of the ropes would permit, while a few men, with spades and mattocks, cleared away a space in the snow sufficient for the sledge to rest upon, until the party descended and began to lower it another length of the ropes. In this manner Amír Tímúr was conveyed to the foot of the mountain range, where, taking a staff in his hand, he proceeded onwards on foot, for about another league. An attempt was made to lower several horses of his own private stable for his use. Their legs were first firmly tied together, and strong ropes were fastened round their bodies and necks, and they were then lowered. Some, that they could not keep their hold of, fell from the mountain and perished, but two horses reached the bottom in safety, and Amír Tímúr mounted again, while his Amírs and troops accompanied him on foot.

"The Káfirs of this region," says the historian, "are like the tribe of 'Ad, and of robust and powerful frame, and they have

a separate and distinct language, different from Pársí, Turkí, and Hindí, and understand no other language than their own. There is no way of communicating with these unbelievers except by means of persons who have chanced to dwell in places near them, and have acquired their language, who act as interpreters. They possessed a fortification, or stronghold, at the foot of which a considerable river flowed [this appears to be the river issuing from the Wámán Darah, mentioned at page 134 of my 'Notes'], and, on the opposite side, a great mountain range towered to the skies; "part of the Tíraj-Mír, Kund, or Sarowar range, doubtless.

Those infidels, having obtained information, a day and night previously, of the movement of Amír Tímúr's forces against them, had evacuated this stronghold, crossed the river, and conveyed their property and effects up into that lofty mountain range, imagining that no one could reach them there, and there they had taken up their position. When the troops, after much labour, reached this stronghold, they found it was totally deserted; all they found there was a few sheep, which were removed; and the dwellings of the infidels were given to the flames. Amír Tímúr gave directions to scale the mountains on the opposite side of the river. The river was speedily passed, and the troops began to ascend in all directions. Shaikh Arsalán, with the division, or *tomdn* (10,000 men), of Kapak Khan, belonging to the left wing of the army, pushed on in advance of the rest of the troops, reached the crest at one point, which commanded the position of the Káfirs, while 'Ali Sultán, the Towachí, from another direction, drove some of them out of their position and captured it, and Sháh Malik, and other Amírs, also exerted themselves greatly; indeed all, Amírs and soldiers, both of the *kushíns* and *hazdrahs*, displayed great valour, and among the casualties sustained was that of fourteen men who fell from the mountains and perished. The fighting continued, with scarcely any intermission, for three whole days and nights, during which time the infidels were driven from position to position, and reduced to great straits. They now sued for quarter, and Amír Tímúr despatched Ák Sultán, Káshí, to them, to intimate that, if they submitted to the Amír's authority, and would embrace the Mahomedan faith, by acknowledging the one true God, in heart as well as in word, their lives and property should be spared, and the country left in their possession.

This having been explained to them by means of an interpreter, they, being in a desperate state, accepted the terms offered, and on the fourth day presented themselves, accompanied by Ák Sultán, in the presence of Amír Tímúr. They declared their willingness to obey in all things, and that he

should account them his servants. They were dismissed with encouragement, after receiving honorary dresses, and expressed themselves much gratified. When night closed in, however, they made an attack upon the post of the Amír, Sháh Malik. They were repulsed, after inflicting considerable loss upon the troops, but one hundred and fifty of the unbelievers were killed and captured, and many others, who managed to escape, were wounded. The whole force now set out in pursuit of the Kaṭor infidels up the mountains. All those who remained of them were put to the sword, their women and children were made captives, and towers of their heads were erected. "This success was gained in the month of Ramazán, 800 H. (beginning of June, 1398 A. D.), and the circumstance and date were inscribed on a tablet of stone, and there set up as a record to posterity of the grandeur of Amír Tímúr-i-Gúrgán and of his power; for it was affirmed by the people of those parts, that none of the powerful sovereigns of former ages, from the time of Sikandar-i-Zú-l-Karnain, had ever subdued that part."

As no news had been received from the Amír-Zadah, Rustam, and Burhán, Ughlán, who had been despatched at the head of 10,000 men against the S'áh-Poshán, Amír Tímúr, taking one of the Kaṭoríán as a guide, sent several of his house-born servants, including Muhammad Azád, who was made commander of the force, at the head of 400 Turks and 300 Tájzís, to make inquiries respecting them.

Muhammad Azád, guided by the Kaṭor Káfir, set out by narrow and difficult routes, and, after great labour, ascended and reached the crest of another lofty mountain range covered with snow, bounding one of the *darahs* belonging to the S'áh-Poshán. The only means of getting into the valley, on account of the paths being blocked with snow, was by sliding down the mountain sides. So, securing their shields strongly to their backs (as a protection), they lay down flat on their backs, and slid down into the valley below. Having set out from thence, they reached a fortification belonging to the S'áh-Poshán. They went round it to reconnoitre, and could neither see nor hear any one, but they discovered the tracks of a multitude of people.

It appeared that the Amír-Zadah, Rustam, and Burhán, Ughlán (who was the real commander of the troops, for he was sent to take charge of the young prince, who was only nominally its commander), had reached that fortification, which the S'áh-Poshán, advised of the approach of enemies, had recently abandoned, and retired into a narrow defile, where they had laid an ambuscade in case they should be followed. Guided by tracks, Burhán, Ughlán, entered the narrow valley

with his troops, and, without taking due precautions, there halted. The troops were entirely off their guard ; some had laid aside their arms, and some let their horses loose to graze, when the SÍ'áh-Poshán suddenly rushed upon them. Burhán, Ughlán, out of cowardice and incapacity, showed no fight, and was the first to cast away his armour and fly, and on this account his army sustained a defeat. The SÍ'áh-Poshán, seeing the Musalmáns flying, became the bolder, followed in hot pursuit, and slew a great number, including several Amírs.

Following the tracks, Muhammad Azád, at the head of his 700 men, entered the defile, and came unexpectedly upon the SÍ'áh-Poshán on the spot where they had fallen upon Burhán, Ughlán and his troops. An obstinate encounter ensued, and, after killing a number of the infidels, Muhammad Azád repulsed them, and put them to flight, recaptured the armour, arms, and horses of Burhán, Ughlán's force, and succeeded in joining him and his fugitive army. Those who had lost their arms and horses received them back again. Muhammad Azád wished that the whole force should remain where they were for a time, but Burhán, Ughlán, out of the pusillanimity of his heart, would not consent, and ascended the pass leading out of the country ; and, as a matter of course, the troops could do no more than follow.

This Burhán, Ughlán, had misbehaved himself before in the war with the Uzbaks, had been pardoned, and was only sent on this expedition to enable him to redeem his name ; for, from the time of the Chingiz Khán, no one of the race of Kaiát had ever acted with cowardice before.

After Amír Tímúr had been thus victorious over the Kaťorlán and SÍ'áh-Poshan, he despatched two officers with a body of troops to search for another way of issue from their country than the one they had come by, and he likewise gave orders to root up the people's corn, which was yet green, and destroy it.

The detachment sent out to search for a road found a practicable one, which they made available after cutting through the snow in some places. Amír Tímúr, accordingly, set out on his return, crossed the mountains and defiles, and reached Kháwak again, where his troops, after being on foot for eighteen days, mounted their horses once more.

Burhán, Ughlán, was disgraced, and Muhammad Azád, who, with his 700 men, had gone against and overthrown the SÍ'áh-Poshán, was well rewarded ; and all those with him also, according to their ranks and conditions.

Amír Tímúr left a garrison in the fort of Kháwak, crossed the mountains of Hindú Koh by the Túl (Bábar Bádsháh calls it Túl, *i. e.*, long) Kotal to Panj-her, which is also called Panj-

sher, and marched to the *jal-gáh* of the Ab-i-Barán, or Barán river, which is distant from Kábul about five *farsangs*, or leagues.

In after years, Sultán Mahmúd, son of Sultán Abu-Sa'íd, Bahádúr Khan, son of Mírzá Sultán Muhammad, son of Mírán Sháh, son of the Amír Tímúr-i-Gúrgán, who, after his father had been put to death by the Turk-máns, in 873 H. (1468-69 A.D.), set himself up at Hírát as sovereign of Khurásán, had soon to fly from thence. He retired to the Hisár-i-Shádmán—Shádmán's Hisár, so-called after its founder succeeded in obtaining possession of a large extent of territory between the Oxus and Badakhshán, as far south as the mountain of Hindú Koh.

He, on several occasions, engaged in expeditions against, and made raids upon, the Kaṭor Káfirís and the S'láh-Poshán; and on that account obtained the title of Ghází among his co-religionists. Perhaps among other things that the Bārakzí Amír, 'Abd-ur-Rahmán, is aiming at, one of them may be the title of Ghází. This Sultán Mahmúd, great-great grandson of Amír Tímúr, died in 899 H. (1493-94 A. D.).

Bábar Bádsháh (who was not a "nineteenth century adventurer," as we are told in the *Geographical Journal*, for the present month, among other equally curious statements) gives an account in his "memoirs" of several forays into the Káfiristan; but he did not entertain the least idea of permanently occupying any part of their country; and probably saw the difficulty of such an undertaking from the determined opposition he met with from these hardy mountaineers.

The next recorded expedition into these parts is that of Rashíd Sultan, the Mughal, son of Sultán Sá'íd Khán of Káshghar; but he only penetrated into the northern and eastern parts of the then Káfiristan: most part of it has become Mahomedan since that time. Mírzá Muhammad Haidar, in the "*Tarikh-i-Rashídí*," who was present on that expedition—which took place in 934 H. (1527 A.D.)—, describing it from a Musalmán point of view, says: "It is a Káfristán, that is to say it is peopled by unbelievers and idol worshippers, who abstain from nothing, and care for nothing, and, following their own natural instincts, do whatever pleases them best. It is a maze of lofty mountains, and is bounded on the east by Káshghar and Yárkand; its northern part adjoins Badakhshán; on its west is Kábul and Lamghán; and on the south Suwát and Kash-mír."

It will be seen from this, that just the whole of the easternmost half of the tract here described has since that time been made Musalmán, and that accounts for the parts nearest the two latter valleys being thinly populated at present. This raid,

consequently, was upon the people known as the Safed-Poshán; or White-clad Káfirís, who have nearly all become Mahomedans, or have been partially exterminated since the Yúsufzís and Tarkalárni Afgháns penetrated into these parts, and were pushing their way northwards at the very time Mírzá Haidar refers to. I shall give a detailed account of these conquests in my "History of the Afghans." See also "Notes on Afghánistán," pages 161, 171, 190, 194 and 228.

In 955 H. (1548 A. D.) Muhammad Humáyún Bádsháh (after he had been driven from Hindústán by the Afghán, Sher Khán, afterwards Sher Sháh, and while in possession of Kábul and its dependencies), on his way back to Kábul, after a campaign in Badakhshán, reached Sar-i-Ab, one of the small towns or villages belonging to Undar-Ab before referred to. He halted there with the intention of going to see the fort of Parfá (Kháwak) at the head of the Darah of Panj-her, which had been repaired by his great ancestor, Amír Tímúr, when he undertook the expedition against the Kaṭor Káfirís. The place was reached, and the fort found, and put in repair; and the Bádsháh left a small garrison in it, and assigned it to the fendatory of that part. The situation was good, with plenty of running water, and the climate salubrious.

These Káfirís north of Panj-Korah, Suwát, and Buner—these Spín or Safed Káfirís—at that period acknowledged, nominally at least, allegiance to Khán Kajú, the famous chief of the Yúsufzís and Mander Afgháns.

• In 989 H. (1581 A. D.) Jalál-ud-Dín Muhammad, Akbar Bádsháh, on reaching Jalál-ábád, which was so-called after him, on his return from his campaign against his brother, the Mírza Muhammad Hakím, and where the main body of his forces then were concentrated under his eldest son, Sálím, afterwards Jahángír Bádsháh, despatched a body of troops "to penetrate as far as the skirt of the mountains of Kaṭor, famous as the country of the S'áh-Posh Káfirán," but no particulars are given. The historians of Amír Tímúr's expedition, it will be noticed, make a difference between the Kaṭor Káfirís and the S'áh-Poshán, but here they are called "the S'áh-Poshán of the mountains of Kaṭor." It must be understood, however, that Tímúr assailed their country from the north-west, while this expedition, of which no details are given, reached the south-east corner of it, as at present constituted.

In the same Bádsháh's reign, his famous general, Zain Khán, however, penetrated as far as the country of the Káfirís lying near, or rather adjoining, Bájawr on the west, in pursuit of the Táríkí leaders, the successors of the notorious schismatic, Pír-i-Roshán, or Saint of Light—the Pír-i-Tárík, or Saint of Darkness, of the orthodox Musalmáns. Zain Khán drove

them out of that part ; and in these operations, some of the Káfirís assisted the Bádsháh's troops.

When Akbar Bádsháh's son and successor, Muhammad Jahán-gír Bádsháh, reached Jalál-ábád, on his way to Kábul, in 1035 H. (1625 A. D.), a deputation of the S'áh-Posh Káfirís, from the Darah of Núr, which at that period they still held, came in and made their obeisance to the Bádsháh. "And now," says the writer I am quoting "I will mention a little concerning them, and their manners and customs. They resemble the Káfirís of Tibbat [the Safed Poshán, or White clad Káfirís previously referred to.] They make an idol in the resemblance of a man and worship it ; and do not marry more than one wife, except the first be barren, or the husband be displeased with her, or she refuses to live with him. In such case, however, if the relations of the first wife have the opportunity, they put the husband to death for repudiating her. If the father of any one takes a fancy to the wife of his son, it does not matter, and he can take her to himself if he chooses.

"Their dwellings are not detached from each other, neither are they enclosed within walls, but adjoin each other ; and those who desire to proceed to the house of a relation or a kinsman, are in the habit of going along the roofs of each other's dwellings to enable them to do so. With the exception of hog's flesh, fish and domestic poultry, all other food is lawful to them. They say that all among their people who eat fish become blind. Meat is generally boiled, and eaten sometimes hot and sometimes cold. Cattle, such as oxen or buffaloes, they slaughter by striking the animal on the neck with a sword. Goats and sheep are killed by cutting their throats.

"The Káfirís are very fond of red-coloured clothes, and those among them who have slain a Musalmán fasten little bells round their waists. Their dead, they dress in their best garments, and place the defunct in a grave along with his weapons (if the corpse of a man), a vessel of wine, and a cup.

"When they take oath or make a covenant, the head of a deer or a goat is placed on a fire, withdrawn again and set on the branch of a *Zaitún*, or wild olive tree, and then they swear by it. They say that whoever breaks such an oath as that will certainly fall into calamity.

"The Bádsháh was much pleased at seeing these S'áh-Poshán, and promised to give them whatever they desired to have. They asked for horses, swords, some money, and red dresses. Their desires were complied with ; and they departed well pleased with their reception and presents."

The next notice that we have of these ancient people, in chronological order, is on the occasion of the invasion of their country, shortly after, on the northern side, in the time of Nazir Muhammad Khán, the Uzbek Mughal, a lineal descendant of Júi Khán, eldest son of the Chingiz or great Khán. This invasion was undertaken by one Amír Yahyá, a Khurásání, who had been in the service of Mírzá Amán'ullah, son of the great Muhabbat Khán of Indian fame, when governor of the Kabul province, who held Amír Yahyá in great estimation. He, however, had to give up Amán'ullah's service through the envy of the Hindústánís, who were planning his destruction; and in the disguise of a *Kalandar*, or devotee, he left Kábul and set out towards Kator and Báshkár (the long *darah* or valley running north-east from the Panj-Korah river near Chugyá-tan, which we heard of in the late invasion of Chitrál), with the object of getting into the Káshghar State of Turkistán. During this journey he crossed many most difficult mountain ranges and frightful defiles and passes, and at last reached the presence of Sháh Babar ["Sháh" is the title by which all the petty rulers of the small states on either side of the Hindú Koh, Kund, or Tirach-Mír are and were known. See "Notes on Afghánistán," p. 154], the ruler of Chitrár. or Chitrál (r and l are permutable). He was kindly received, and remained some time with him; and at last, having abandoned the desire of going to Káshghar, he proceeded by way of the Káfirí village of Munjish, and crossed the Hindú Koh again—the Káfirís used not to molest *Kalandars*—and proceeded to Balkh, which he reached in 1030 H. (1620-21 A.D.). There he soon gained the favour of Nazr Muhammad Khán, who at first made him his private librarian; and subsequently he was entrusted with the administration of some districts. Having shown his capacity and trustworthiness, he was placed in charge of the whole territory of Badakhshán [as much of it as was under the sway of Nazr Muhammad Khán—the western portion of it]. There he greatly distinguished himself in many difficult, dangerous, and momentous affairs. In the beginning of 1045 H. (1635-36 A. D.) he proposed to undertake the subjugation of the Káfirís of Kator and the Gibarí of Gibarak [Bábar Bádasháh also mentions it], and the S'áh-Poshán, who on account of their numbers, and their power, set themselves to impose tax and tribute on the inhabitants of some of the confines of Kábul, Badakhshán, Káshghar, Káshmír (1), and other parts.

"Amír Yahyá," says the Uzbek historian, I am quoting, "in concert with some of the chiefs and Básh-líghs of Kishm, which is the capital and seat of Government of Badakhshán, and of the Kol-Áb and Rusták territories, and some others in accord with him, having made their preparations in Kishm,

they moved and soon after occupied the *jal-gah*, or grassy valley, of Anjúmán, where they made their final arrangements for the expedition."

Anjúmán is so called from a sub-tribe, or branch of a Mughal tribe, probably of one of the *mings*, or *hasaraks*, located in this part in former years. The river of Anjúmán, having passed Wughnán, unites with the Warsaj near Mlán-Shahr of Warsaj, and finally with the Wardúz (*vul.* "Wardoj"). The river of Kurán unites with the Kúk-chah, rather less than two miles on the right hand side of the village of the Ribát, so called after one of those frontier defensible buildings which stands there or lately stood, and below Faiz-ábád is known as the Kúk-chah. This river was correctly called the Kuh-kachah, but the name, through constant use, became vitiated into Kúk-chah.

"They then pushed on quickly to Kímargh, or Kaimargh; and the next day, at sunrise, crossed from that place, and reached the crest of the Warzál, or Warazál, *'ukbah*, or acclivity [to the westward of the pass of the Do-Ráhah], where is the source of the Kúk-chah river. As there were no means of descending from that tremendous range without some contrivance, they, taking a lesson from Amír Tímúr's expedition in former times, lowered the horses from the summit by means of ropes, while the men, having wrapped themselves up in felts and coarse canvas, slid down.

"By these contrivances all the men and horses were transferred from the summit of the acclivity to the bottom. Next morning they moved onwards again from thence, and reached the banks of a river [the river of the Múnján Darah, a feeder of the river of Alingár], and there came to a halt. Before day dawn, they again set out and hastened to ascend the lofty mountains and difficult defiles in front of them before the sun should rise. This they effected and succeeded in reaching, without the unfortunate Káfiris having any intimation of their movements, the banks of the Kaṭor river, as it is called, at the point known as the *Kintarah*, or bridge of Kaṭor, and there they had to halt. There was no vestige of a bridge, but, on the faith of ages gone by (which said there was or had been one there), the place was known as the Pul-i-Kaṭor, or Bridge of Kaṭor. The invaders proceeded at once to fell several stout and lofty trees, which they threw across the river, over which they laid branches, underwood, and earth in large quantity, and thereby made a strong and efficient bridge. Having crossed the river, Amír Yahyá and the other chiefs held consultation as to further proceedings.

"From the position they were then in to the habitations of the Káfiris was still a distance of ten *farsangs*, or leagues. It was therefore determined to divide their forces, and advance upon

them in separate bodies and in different directions. Having made their arrangements without loss of time, each division set out towards the point agreed upon among the villages of the Kaṭoríán, where they proposed to meet again. From evening to near dawn the next day, they pushed on, over difficult passes, ascents, descents, and through narrow defiles, until near dawn, when they suddenly and unawares fell upon the Káfirí people, totally off their guard, and, like a tempest of destruction, at once proceeded to slay, plunder, devastate, and burn every thing they met with. On that day, ten *Kasbahs*—large villages or small towns—out of the fourteen which this part of their country contained, those of Aṭatí, Zá-o, Kandah, Bundah, Sal (or Tal or Tul), Kanjnak or Kanjannak Bujá, and others, were sacked and totally destroyed, all the adult males massacred, and their women and children, their goods and effects, became the booty of the Islámis; the idol houses, or temples, of that part were razed to the ground; and, after the manner of Amír Tímúr, with the heads of the slain, which amounted to over 2,000 men, several *mandrs*, or towers, were erected, as an example [of brutality] to the world." We shall probably shortly hear of more *mandrs* of their heads built up by the Afghán invaders of their country; atrocities equal to Bulgarian or Armenian, but sanctioned by humane and freedom loving England. They have already destroyed near upon two hundred temples, and a vast number of their idols, as they call them.

* The invaders under Amír Yahyá then proceeded to destroy all plans of defence or shelter, and such idol houses as remained, and they were thus occupied until the ninth day [the fortunate number of the Mughals, who probably constituted the bulk of the invader's force], after which, with their vast booty and their captures, they set out on their return by the easier way of Paríán—before mentioned in the notice of Amír Tímúr's expedition—and got back to Badakhshán in safety.

The writer further states, that among the remarkable things which happened during this expedition was, that these successes were gained* in the very part in which Amír Tímúr's troops sustained a reverse [under Amír Zadah Rustam and Burhán, Ughlán], in which a number of his men and several Amírs, such as Shaikh Zaim, Sújí, and Daulat, Jaba-chí, and others were martyred [by the Káfirís of Kaṭor; and from that day the sword of retaliation had never before fallen upon those infidels to avenge them; until Amír Yahyá, wielded it against them."

Likewise, during the time Nazr Muhammad Khán ruled over Balkh and its dependencies, Sháh Dará, who, for a period of forty years had ruled independently at the *Mawza* of Ushán,

of Badakhshán, was overcome, and his territory annexed to Nazr Muhammad Khán's ; and the traces of heresy, which for a long period had been disseminated in that part from Darwáz, were entirely eradicated, and the Sunní faith re-established therein. The writer was mistaken in this ; for the Ismá'íliáh heresy is still in full swing in those parts ; and its votaries acknowledge the head of that sect, the Aghá Khán of Bombay—Sultán Muhammad Sháh—to this day.

Another event which happened at this period, in connection with those petty rulers who claimed descent from Alexander of Macedon, was the submission of Sháh Bábar, the Wálí or Prince of Chitrár, or Chitrál, and Báshkár (previously alluded to), "which hitherto the most powerful sovereigns had been unable to lay their hands upon." This Sháh submitted of his own free will and accord, no violence or pressure having been used towards him. He had entertained the idea of submitting from his intercourse with Amír Yahyá, who had taken shelter with him on flying from Kábul, as before mentioned, and who had since been placed in charge of the Government of such part of Badakhshán as belonged to Nazr Muhammad Khán. The author I am quoting, who wrote at this very time, says : "It is recorded in various books of Chronicles that the genealogy of the Sháhs of Badakhshán reach to Sikandar-i-Zú-l-Karnáin. Alexander of the (two) Horns—in this wise, that, when he returned to Bábal (*vul.* "Babel"), after having subjected most of the known world to his sway, finding his end approaching, he manifested many signs of anxiety respecting the safety of his children [who they were the writer does not mention]. This secret he communicated to his Minister, who sent one of them (a son) for safety into the narrow vallies of Chitrár and Báshkár, the strength and difficult nature of which was such that the most powerful monarchs of former times were unable to subdue them ; and there he and his descendants continued to dwell."

It was in these very parts, it will be remembered, that Alexander is said to have espoused Roxana, daughter of Axyartes ; and I relate the above tradition, which is universal among them, to show how the people of those parts still retained their Greek memories from generation to generation.

Abú-l-Fazl, in his *Á'in-i-Akbarí*, referring to the tracts north-west of Suwát—the Panj-Korah territory and further northwards—states that, when the Yusufzái, and other Afgháns in alliance with them, first overran them, "they wrested them out of the possession of Sultáns who claimed descent from Sikandar-i-Zú-l-Karnáin, and that some of them still remained in those parts, *with the genealogical tree of descent from Sikandar in their hands.*"

The Akhúnd, Darwezah, the famous saint of the Afgháns of these parts, whose family dwelt at Pápin in Nang-rahár, and came from the Darah of Pích originally, also claimed to be descended from Sikandar-i-Zú-l-Karnain.

Sháh Bábar having submitted, the *khutbah*, or public prayer, was read for 'Abd-ul-Múmín, Nazr Muhammad Khán's elder brother and suzerain, the ruler of Máwará-un-Nahr, and the coin was stamped with his name. "Since that time", says the Uzbek author, "the faith of Islám has been established in that territory, and *masjids* and *khánkahs* (religious structures, monasteries for *darveshes*) are kept up and supported."

The Sayyid, Ghulám Muhammad, who on two occasions was sent on a Mission to Kábul, to the Court of Tímúr Sháh, Sadozí, Durrání, by the Government of India in the time of Governor Hastings, visited some of the districts bordering on the S'áh-Posh Káfirí country, and stayed some time. He visited Nijr-Ab for one; and says: "Nijr-Ab, or Nijr-Ao, is the name of a large and lofty mountain tract, and in the villages situated therein dwell a people who speak the Persian language, and they cultivate the soil. . . . They and other people of these parts, carry on incessant warfare with the S'áh-Poshán, or Tor Káfirís.

"The mountains in which the Káfirís dwell join the hills of Nijr-Ab on the south, and there, on the border, Bábar Bádsháh erected a frontier post, in which *kashakchís* [guards—a Turkish word] are still stationed. Hostilities constantly go on between the soldiers and the S'áh-Poshán.

"The S'áh-Poshán are in the habit of lying in ambush in these forests and killing all Musalmáns who fall into their hands. It is a custom among these people to allow a man who has killed as many as forty Musalmáns to fasten an equivalent number of small bells around his waist, and he is accounted a great hero, and looked upon as a sacred person. The slaying of Musalmáns is a part of their religion [after the manner of Musalmáns who slay them on the same account, the writer should have added]. . . . Men who enter their country disguised as *kalandars*, or devotees, are not molested by them; and they call such a man, a son of God."

About the end of the last century, the Mahomedan chiefs of Bájawr, Panj-Korah, Kúnar and others, confederated together and entered the Káfirí country, where they burnt some hamlets, and forced several persons to embrace Islámism, and they are now included among the Nim-chahs. The invaders, however, were soon compelled to retreat, after sustaining severe loss.

About the year 1833, or 1834, the then Bájawr chief made an inroad into that part of the Káfiristán lying nearest his terri-

tory, when he burnt and sacked some villages, and succeeded in carrying off a number of people, whom he subsequently sold into slavery. Such is the treatment the Káfirís have had to endure for ages past ; but the present aspect of affairs is still far worse for them.

The Sí'áh-Posh Káfirís have no general name for themselves, and, should anyone inquire of them who and what they are, they would reply : " We are Káfirí ;" and they do not feel annoyed at being so-called.

Káfirí, however, is not a proper name, but an Arabic word signifying an infidel, or unbeliever, and is applied to non-Musal-máns generally by people of that faith. In South Africa the word has been turned into " Caffre," " Kaffir," etc. This appellation was first applied to the people of South Africa, probably by 'Arab traders from the ports of Arabia, the Red Sea, and Zangbár.

The country inhabited by the Káfirí tribes of the Hindú Koh, the general name of the range—for " Hindú *Kush* " is only the name of a Pass leading over it between But Bámíán and the Ghúr Band—is bounded on the north by Badakhshán and the formerly independent State of Kunduz, subdued by the Bárákzí Durrání Afgháns during the last thirty-seven years, and now styled " Afghan Turkistán," by European writers, probably because there is no part of Turkistán so called south of the Jihún, or Oxus (see " Notes," page 148) ; south by the *darahs*, or valleys, constituting the districts of Mandráwar, Lamghán, Kúnař, and Kámán, and their dependencies, the southern portions of which are inhabited by Tájízs, and the parts north of them by the people called Kohistánís, the inhabitants the Afgháns found there, and the Sáfi Afgháns, a division of the once great tribe of Parní (*vul.* " Punnee") ; east by Lower Káshkár, or Chitrál, Shí-Gal, Bájawř, and Panj-Korah ; but some of the Safed-Posh Káfirís extend further east, to the northwards of, and in the upper part of, the Suwát Darah, towards Gilgit. On the west it is now bounded by the Darahs of Panjsher, or Panjher, Nijr-Ab or Nijr-Ao, Budr-Ao, and Wálá-Sá'u, belonging to the present Afghán State ; but continual encroachments, in late years, especially on the part of the Afgháns and other Mahomedan neighbours, by whom they are completely hemmed in, has been reducing this area considerably:

North from Shí-Gal above mentioned, nearly eighteen miles, is Punat, belonging to the Sí'áh-Poshán, in the *darah* called Punat Darah. Chonash is five miles and a half farther north, and also belongs to the same people. Thence twenty-one miles west, inclining north-west, is Wáe-Gal, also called Wáe-Galán (the plural form of the word). On the way thither is a tremendous mountain range.

In Bábar Bádsháh's time, the Darah of Wálá-Sá'ú, or Alah Sá'í, as he calls it, on the Nijr-Ao side, was full of Káfirís. He also says, that the nearest part of the Káfiristán to 'Alí-Shang is Giwar [or Gibar, *w* and *ó* being permutable], and the Alingár river issues from Giwar.

Abú-l-Fazl, who wrote in the Bádsháh's grandson's reign, says that the *tomán*, or district, of Nijr-Ao is full of Káfirís.

At the present time, the lower part of the 'Alí-Shang Darah is peopled by Tájziks, the middle part by Kohistánís, and the upper or higher part by Káfirís.

Within the boundaries here given are included the great ridges and spurs, the vertebræ, so to say, of the great backbone of the Hindú-Koh, Tírach Mír, Kund, or Sarwar, as it is also called, with their numerous ramifications. These descend in a succession of great waves, or terraces as they may be also called, springing from about the centre of the range, chiefly towards the river of Kábul on the south, and the Palpi Sang, or river of Lower Káshkár, or Chitrál, on the east. Some large *darahs* within these boundaries, however, run in other directions. The particulars respecting these and their minor dependencies, will be found in the separate accounts of them given in my "Notes on Afghanistan," etc., page 148.

The extent of the country of the Káfirí people here under notice is, roughly speaking, about one hundred and ten miles long from N. E. to S. W. and about ninety miles broad from N. W. to S. E. Within this space there will be about 100,000 families dwelling.

The physical aspect of this tract is similar to that of the tracts adjoining them on the east, and consists of four great main *darahs*, or valleys, described further on, long and narrow in proportion, through which the principal rivers flow, bounded on either side by the stiff ridges of the Hindú Koh, which are generally snow-clad. These large valleys are again crossed in a transverse direction by numerous smaller valleys opening into them, which, in the same manner, are crossed by others still smaller, and almost innumerable; and through the whole of these streams of water flow, which increase the volume of the main rivers. The clearest definition, indeed, that can be given of one of these great *darahs* is that of a leaf with all its reticulations, the mid-rib, or *costa*, representing the main stream running through it; the *primary veins* the smaller streams and rivulets, its feeders; the point of the leaf the head of the *darah*, where is the *jal-gah* in which the river rises, and the *petiole* the river running from the *darah*, where lies the pass which generally leads to it.

There is much diversity of temperature and variability of climate in the Káfirí country, as might be expected, caused

by the great difference of elevation, some parts being considerably depressed, while stupendous mountain ranges, varying from 14,000 to 17,000 feet, surround the valleys on all sides. In the more elevated tracts the summer heat is never oppressive; and in the winter months the snow lies on the ground in some parts for weeks together. The more depressed valleys, again, are well sheltered from the cutting blasts of winter; and, although they are surrounded on all sides by towering mountains capped with eternal snows, the heat, in the months of June, July and August, is considerable; and in some secluded places it is oppressive. It is sufficient to bring to perfection vast quantities of excellent grapes and other fruits, constituting a large portion of the people's food. From the grapes a good deal of wine is made, for which, indeed, the Káfiris and their country have been noted among their neighbours for centuries past. Here, too, the ivy flourishes luxuriantly.

The soil of the valleys is generally a rich, dark red mould, containing a considerable portion of clay, but mixed with sand and stones towards the skirts of the hills; whilst that of the narrow and terrace-like strips of land at the sides of the mountains is mixed with sand in a greater proportion.

Rain falls in copious showers, but never for any lengthened period. It occurs chiefly during the spring months and towards the end of August and September, but occasional showers fall, as in other temperate climates, throughout the year. In the winter violent snow-storms are of frequent occurrence, which block up the passes, and cut off all communication between the different valleys, often for weeks together.

The climate, on the whole, is very healthy, and but little sickness is known. The principal diseases are ophthalmia and fevers. That scourge of the human race, small-pox, had not made its appearance among them when I first wrote about them, which may be attributed to their slight intercourse with foreigners; but, since then, the nominal Musalmáns, who now surround them, have introduced that, and even worse diseases.

The roads, or footpaths rather, are narrow and difficult in the extreme, and every here and there are intersected by frightful ravines, yawning chasms, and foaming torrents; winding through deep and narrow gorges, dark almost at mid-day; and travellers incur not a little danger from fragments of rocks and stones, that, loosened either by frost or by the rain or wind, or disturbed by wild animals and the numerous flocks of goats that crop the herbage on the higher hills and beetling crags, at the base of which they wend their way, every now and then come rolling down, sometimes with a fearful crash, reverberated on all sides. The Káfiris cross ravines by means of rope bridges; and, if a road or track is a frequented one, these

primitive bridges are made by connecting together four or five stout and strong ropes made of goat's hair, with slighter ones at about six or eight inches distance from each other, laid transversely, just like the shrouds on a ship's mast with the ratlines across. These are secured to the trunks of trees on either side, and stretched as tight as possible. Should there be no trees sufficiently near the spot, the ropes are either secured to strong stakes driven into the ground, or made fast to rocks. On each side of this suspension bridge, there is another rope by which the person crossing may steady himself. Some people crawl along on their hands and knees; others, less timorous, walk across; still the depth of the yawning abyss beneath, accompanied at times by the deafening sound of a foaming torrent that seems to shake the very rocks, renders this mode of crossing, even to those accustomed to it, fearful in the extreme.

Other bridges, when the narrowness of chasms will permit of it, and trees of sufficient length are available, are formed by placing three, four, or more logs side by side. The Káfirís cross the smaller chasms, and mountain torrents of no great breadth, by means of leaping poles. In the use of these they are exceedingly expert; and, being a particularly active race, they can climb the steepest hills.

Horses, mules, asses, and camels are not used in the Káfirí country; burthens are carried on bullocks or mens' backs, chiefly by the tribe of people designated Bárí, mentioned further on, although the Káfirís themselves do not disdain, upon occasion, to carry a load.

On the melting of the snows in the spring and summer months, the rivers, which flow over rocky beds, increase greatly in volume, rapidity and violence, and become deep and difficult to cross even by means of rafts and inflated skins.

Three considerable rivers rise in the northern part of the Hindú Koh, in the Káfiristán: one at a place called Kandah-i-níl or Blue Lake, and another near Munján, all three of which run through as many long and narrow valleys, nearly parallel to each other, towards Jirm of Badakhshán, and which, united, form the Kúk-chah river, and being joined by the Wardúj, run nearly due west, and unite with the Panj, or upper branch of the Oxus. These united streams subsequently fall into the Oxus. Wood and others call the first mentioned river the "Kokcha." (*See page 46*).

The tract of country in which these people dwell is known to the Musalmáns as "the Káfiristán," or "Country of the Káfirs, or infidels, or unbelievers," and is neither the proper name of the country, nor of the people, as before stated. They indeed have no general name for themselves, as far

as I can discover. They consist of two great septs, or divisions. Those who dress in white, or light coloured garments, the Tájziks, or Persian speaking people, style Safed-Posh or Poshán—the plural form of the word—Káfirís, and the Afgháns, Spín Káfirís, signifying White-clad infidels, or unbelievers. These people are very numerous (but mostly became Musalmáns long since), and dwell in the *kohistán*, or mountain tracts, from Little Tibbat, and the hill ranges north of the Darahs of Buner and Suwát, and in the mountains in the Dángrok Darah east of Dír and Lower Káshkár, or Chitrál. These latter, however, were in some way subject to the Káshkár rulers, or at least nominally so. These must not be confounded with the tribe of Shpín, or Ishpín, Káfirís who inhabit the upper part of the Darah of Núr, previously mentioned: the words are differently spelt. The language of the Safed-Posh, or Spín Káfirís, is different from that of the other sept, and is not quickly understood.

The other sept, and the one with which we are most interested at present, the Tájziks call S'áh Káfirí and S'áh-Posh, or Poshán, and the Afgháns Tor Káfirí, both terms signifying Black-clad unbelievers, because they dress in black garments. This sept is famous throughout all the parts bordering on them for their valour and intrepidity, "who in battle rival the feats of the old Persian heroes, Rustam and Isfandiýár. They consider it eternal disgrace to retire wounded from a conflict with Musalmáns, and that it behoves them to die fighting on the battle field." Such are the words of one who knew them well and their country also, just one hundred years ago. They so much excel the Mahomedans (or did), by whom they are surrounded on all sides, in intrepidity and skill in their mode of warfare, that none of their enemies—save for a very short period and then only in far superior numbers—have been hitherto able to oppose them with success.

The four great *darahs* of which the country of the S'áh-Posh tribes chiefly consists, are 1. Wánat, 2. Luṭ-Dih, 3. Wámán, and 4. Páirún.

The first of these four great valleys is that of Wánat, which commences from near Nang-Lám, on the right hand side, that is, in approaching it from the north-west, and runs in about the direction of north-west. Out of it comes a considerable river which unites with that running through the Darah of Pích. Wáe-Gal is its chief village. Nishá'í lies between ten and eleven miles north-west from Nang-Lám, and Wáe-Gal is a little over twelve miles from it, farther north.

The Darah of Wánat is about thirty-five miles in length, and on the east side adjoins Nang-Lám and Pích; on the south is Shí-Gal, and on the north the Darah of Luṭ-Dih. The river

running out of this *darah* from the direction of Nang-Lám, joins the river of the Darah of Pich, and, having passed beyond Shí-Gal, unites with the river of Kúnar below Chaghán-Sará'e. There is no place called "*Chighar*" Sará'e. That name is applied to the *darah* in which, at one time, there stood a white edifice. (See page 44).

There were Sî'áh-Posh in the higher part of the Shí-Gal, or Shí-Gar, Darah in the year 1795; and in the lower parts some ten or twelve villages of the Shinwári branch of the Karlární division of the Afgháns.

In this *darah* likewise, about eleven miles north-west, in the direction of Nang-Lám, there is a village known as *Nishá'í* (Νύσσα,) and the Káfirís of this place and neighbourhood, also known as Nishá'í, and after whom the village is so called, excel in valour and intrepidity. This place is the most probable site of "Nysa" of Dionysus, or Bacchus; and the ivy and the grape are there to be found in great luxuriance.

The chief of Wáe-Gal, in former times, just one hundred years ago, was Sharaf Gul Khán (they, too, adopted this Turkish title, like the Afgháns and others), famed for his valour and magnanimity. The Musalmáns of Nang Lám, related this anecdote respecting him:—

"An aged Akhúnd (Mahomedan teacher), on one occasion, came into Nang-Lám to get up a *jihád*, or holy war—here more correctly a raid under that deceptive name—against the Káfirís; but, much to his disappointment, he found there was then a truce, or *aragh*, as it is called, between them and the Musalmáns. The Akhúnd continued in Nang-Lám for some days, at which time it so happened, that the son of Sharaf Gul, a famous youth in those parts, chanced to come there on some business. When about to return to Wáe-Gal, the Akhúnd, who was determined by some means or other to have a *Jihád* of his own, managed to join himself to him; and on the way, finding the youth off his guard, treacherously murdered him with a knife, and fled back to Nang-Lám.

The Sáfi Afgháns therein located, afraid what the consequences of such an outrage during a time of truce might be—the Káfirís were much stronger then than now—seized and detained the Akhúnd. They then went out and recovered the body of the murdered youth, conveyed it back to Nang-Lám, and acquainted his father, Sharaf Gul, with what had happened. He came to Nang-Lám, and, seeing the old Akhúnd, and comparing his weakness with the strength his dead son had possessed, took up a handful of earth, and sprinkling it over the corpse, said:—'It is not consistent with manhood, with such strength as thou didst possess, to have been slain by one so old and feeble; neither is one so weak, and who slays one so power-

ful, a worthy object of retaliation.' So saying, he dismissed the old Ákhúnd honourably, to the latter's surprise, and took away his son's corpse to Wác-Gal.

Nang-Lám is a large and well-known village at the entrance of a gorge, and belonging to the Sáfi Afgháns (but does not appear in any of our maps). It lies about ten miles north-west of Bar-Khandey, and rather less than a mile before you reach it is another village, called Daraey.

The Sáfi Afgháns, who formerly dwelt in the Saur Kamar Darah of Bájawr, which lies north of Dánish Kol and south of Chamr Kandey, had then to pay a tenth of their produce to the Tarkálmí, Chief of Bájawr. A certain Sáfi, however, aggrieved at this and other matters, vowed he would never again dwell under any one's rule, or be subject to any one. So he girded up his loins, and, being joined by others of the Sáfís, went off towards Bádel, ten or eleven miles north-west of Bar Tarhang. Having reached it, they took forcible possession of it and some of the country, which was then held by the S'áh-Posh. Several encounters took place between them, in which the Sáfís were successful; and in time they possessed themselves of the Darah of Pích, which is upwards of forty miles long. Bádel was thus the first place they acquired in that part. Their largest village is Goslak.

The next great *darah*, or valley, is Luṭ-Dih, which is larger than Wánat; and from the river of Káshkár, or Chitrál, to the *Kotal*, or pass, of Apá-luk, it is nearly fifty miles in length. Immediately north of the *darah* is the great mountain range clothed with perpetual snow. Apá-luk is the name of a desolate halting place at the foot of the mighty range, and the pass leading over it is called the Apá-luk *Kotal*, and, by crossing this, Badakhshán is reached.

From the large village of Luṭ-Dih, nine miles and a half north is Padu-mukh; a little over twelve miles more in the same direction, is Shut-Gal, and just sixteen miles further is Apá-luk.

On the east Luṭ-Dih adjoins Lower Káshkár, or Chitrál. Two rivers issue from that *darah*; one of which flows towards the east and unites with the river of Shaghut, while the other, flowing southwards, joins the Palpi-Sang, or river of Chitrál, opposite Harandú. In going to Apá-luk, you follow the course of this river.

There are several important villages in this *darah*, one of which is Munjish, referred to in Amír Yahyá's adventure after flying from Kábul. Another is called Kám-úz, *i. e.*, the village of the Khám-úz, one of their tribes; and a third is Luṭ-Dih, giving name to the *darah*. In going thither from the eastwards, you cross the river at Harandú, and proceeding about

twenty-eight miles north-west, through a *darah*, reach Kám-úz, also giving name to a *darah*. A little under two miles north-west is Kawzálah, called Kashúr by Afgháns, and a little further north-west is Munjish. There are Káfírí villages all the way. From thence seven miles and a half in the same direction is Mado-Gal, and about the same distance farther is Pur-Sitam, a byname evidently—the Tájzik for 'full of tyranny or violence'—; about five miles and a half farther is Chápú, and fourteen miles farther is Luṭ-Dih, before mentioned. The chief of this *darah* in the last century, named Luṭ-Kar, or Luṭ-Gar, through infirmity* and poverty, had to pay obedience to the Sháh of Káshkár. The Káfírís of this *darah*, however, at that time were more powerful and better off than the rest of the race.

The third of the main *darahs* is Wáman, which is also so called after the tribe of that man. It is nearly seventy miles in length, and adjoins Goslak, one of the large villages of the Darah of Pích. On the north, the Darah of Wámáo terminates at the mountain range of perpetual snow which borders on Badakhshán: it bounds it, in fact, in this direction.

From Goslak to Wáman is three stages in the direction of north-west. The S'áh-Posh of this part are on pretty good terms with the Sáfi Afgháns. Goslak belongs to them; and east of it is the confluence of two rivers. The northern one comes from the mountains of the Wámán Darah, and the southern one from the Koh-i-Kund range lying farther west. The two rivers, having united, receive the name of river of Pích; and the southern of the two streams is called the Bustalá river, from the village of that name about five miles and a half south-west from Goslak, at the foot of the Koh-i-Kund, from which direction the river comes. There are wooden bridges over them: over the Bustalá river below Goslak, and over the Pích near by that place on the east.

Contrary to the general usages of this race, they were on good terms with their Sáfi neighbours of Goslak, who are a division of the great tribe of Parní of Southern Afghánistán, who used to be all powerful around Síwí, their chief town. The Sáfis left them, and got at last into this part. The first place taken by them from the S'áh-Posh Káfírís was Bádel, about ten miles north-west from Bar Tarhang. It is on the route from the last named place to the Chaghán-Sará'e Darah.

The fourth *darah* is Párún, which is also very extensive. It is about forty-five miles in length; and the river flowing out of it runs towards Jirm of Badakhshán, and finally unites with the Jihún, or Oxus.

Besides these large *darahs*, there are numerous others opening into them, which will be found fully described in my "Notes on Afghanistan."

The Si'áh-Posh Káfirí Tribes.—These, by their own account, consist of eighteen tribes:—Páshá-Gar, or Pashá-Gal, Pán-du, Wámán, Mandúl, Samá-jíl, Tapah-Kál, Chának, Dúh-tak, Sáláo, Askín, or Skín, Ashpín, or Shpín, Wadí-hú, Kátí-hí, Kamphír, or Gambhír, Kaṭar, Wáe-Gal, or Wáe-Kal, Kám-úz, and the Nishá'í, which is considered a sub-tribe rather than a tribe. All the Si'áh-Posh tribes choose their own chiefs.

In my previous account of this latter sub-tribe, a part of its name was left out in some way by my authorities. I there remarked that Si'áh-Posh did not appear correct for the name of this tribe, because that was the designation of the whole race. Since then, the complete and exhaustive survey made of these parts at the close of the last century, a portion of which is embodied in my "Notes on Afghanistan," etc., clears up the point, and gives us the most important information, that this tribe is known as the Nishá'í, a sub-tribe of the Si'áh-Posh. This, too, shows that the name was by some accident left out by my first authorities, and that instead of "Si'áh-Poshán," the words should have been "Nishá'í Si'áh-Posh."

1. The Pashá-Gar, or Pashá-Gal (*l* and *r* being permutable), tribe formerly held the Darah of Sáe-Gal, a part of which *darah* contains several considerable villages, among which are Dúmíah, Kandlah, Paran-dol, and Tárhú. These, at the time of the first occupation of Kábul, in 1839, they still continued to hold, but the people inhabiting them have since become Mahomedans. The remainder of the tribe, who adhere to their ancient customs and faith, dwell in the country of the Nishá'í out-tribe of the Si'áh-Posh just referred to, and some farther north in the Darah of Míl.

2. The Pán-du tribe formerly occupied the Darah of Pohan, one of the smaller *darahs* of the Darah of Múkah, west of Lamghán. Kasí-Gar, or Kasí-Gal, is another. They at present hold the confines, or boundary, of the eastern portion of the Darah of Míl, which is very extensive and lies east of the Shunah, one of the northernmost branches, or feeders, of the Alingár river. To the south-westwards of Míl is the Darah of Najíl. Here they have several villages, *viz.*, Muku-watú, Níw-lí, Tey-lí, Pán-du, and Parmah-wál. In this part might makes right, and he who has the greatest quantity of worldly goods and the most numerous kindred, exercises the chief authority. Only a few had become converts to Islám.

3. The Wámán, or Wámah, as they are also called (but "*Wam*" is a vitiated form of the word, such as one ignorant of their language would use), continue to dwell in the *darah* called after them, in conjunction with the Tapah-Gál tribe in the *darah* adjoining the Alingár Darah on the east, which is connected with six smaller ones, named Báyzazid, Bahan,

Shunkar, Makán-jú, Kadol-Khand, Landah-Gán, and the Má'sht Darah. Some few of this tribe have become Mahomedans, but the rest look down upon them with the greatest contempt, and compel them to dwell apart.

4. The Mandúls formerly dwelt in the Shamah-Kat Darah, lying west of the Darah of Lamghán, which valley contains fourteen smaller ones opening into it, or rather within it. The Mandúls were driven out of it at the time that Mahommed Jahán-gir was Bádsháh of the Dehli Empire. These valleys are now held by the Ismá, 'ilz branch of the Sáfi Afgháns, before noticed, who have become exceedingly numerous, and may now be called a great tribe. They are not "*Nimchas*," I beg leave to say, nor "*converted Káfirs*." The Mandúls, at present, according to the latest information, dwell in part of the *darah* of Kandah-i-Níl (the Kandah of the Uzbek writer, no doubt, as it lay in the tract of the invaders under Amír Yahyá; but, in the course of ages, the names of places change, as well as the face of countries, which facts do not seem to be generally realized); and in it likewise the Kátí-hí tribe dwell, lower down. The Mandúls adhere to their old religion and customs.

5. The Samá-jíl in former days also dwelt in the Shamah-Kat and contiguous *darahs*; but at present they occupy part of the Darah of Kandah-i-Níl, along with the Mandúls and Kátí-hí.

6. The Tapah-Kál tribe dwell in the Darah of Alingár, where they have been located for centuries past, along with those few of the Wámán who have been compelled to live apart because they have embraced Islám. The Tapah-Kál are nearly all Mahomedans by profession, but their neighbours of that faith consider them worse than the unconverted Káfiris generally.

7. The Chánák have all turned Mahomedans, and retain their ancient locality—the Darah of Múkah—, which contains some fourteen villages, but of no great size. The Múkah Darah lies west of Islám-ábád, a town of Lamghán, and south of Dúniáh in the Sáe-Kál Darah, where some of the Pashá-Gals dwell.

8. The Dúh-tak tribe formerly held the small tracts about Koh and Korinj, which form the angle between the river Kow and that of Najíl, or 'Alí-Shang river, just before they unite at Tigharí of Lamghán. A few of the tribe, who have turned Mahomedans, now dwell in the Alingár Darah, along with such of the Wámáns as have done the same, and the generality of the Tapah-Gál who, as above mentioned, have done so. The majority of the Dúh-tak tribe at present dwell in the tracts lying towards the Darah of Chaghán Sará'e, or the White Edifice (*chaghan*, is Turkish, and signifies white. In this part

one of the Mughal *mings*, or *hazdrahs*, was located in former times, and another farther east towards the Khaibar defile, which accounts for the number of Turkish names of places hereabouts), through which *darah* flows the Palpi Sang, or river of Káshkár, on the borders of Lower Káshkár, or Chitrál, known among the people of these countries in by-gone times as the territory of Sháh Kaṭor.

9. The Sá-láo tribes formerly held the Darah of Rának-Koṭ, also called Sá-láo after it; but, for a great number of years past, the Sá-láo have been dwelling in that part of the centre of the Káfiristán watered by the Shúnah river, towards the highest ranges of the Hindú Koh, also called the Shúnah Darah. It lies west of the tracts held by the Kátí-hí tribe, some distance north from Lamghán, towards the Darah of the Kandah-i-Níl. They follow their ancient faith.

10. The Skín, or Askín, tribe hold the upper part of the Darah of Tag-Áb or Tag-Áo, towards the highest range of the Hindú Koh, and have, for the most part, become converts to the Musalmán faith, and were (in 1840) subject to Tajammul Sháh, son of the Sháh Kaṭor. Those of the tribe who adhered to their ancient faith paid a trifling tribute to that ruler.

11. The Shpín, or Ashpín, tribe dwell in and about the Mír Khandey Darah of the territory of Lower Káshkár, or Chitrál, to the eastward of the great ranges. A river issues from the *darah*, which, flowing eastwards, unites with the river of the Ashrit Darah, which, in the last century, was under the Bádsháh, or Chief, of Drúsh, the intelligent Sháh Rizá, mentioned before at page 5.

The Shpín tribe is mentioned at the close of the last century as follows:—"In the north-west part of the Darah of Núr, which extends from Shewah to Sarúr, is a small tract of country called by the latter name, belonging to the Shpín, or Ashpín, Káfirí tribe, consisting of some 2,000 or 3,000 families, who do not nourish so much hostility towards other Musalmáns as towards the Afgháns (with the exception of the Sáfís to a moderate degree). The villages of Sarúr are also called Khandacy. One of the Sarúr villages, a large one, is called Stan; and from thence, westwards, crossing a great mountain range, you can enter the Alingár Darah, the uppermost part of which is inhabited by the S'áh-Poshán, the lower part by Tájziks, and the middle part by the people called Kohistánís."

12. The Wadí-hú tribe, as heretofore, continues to dwell in the Darah of Alingár, and a few of them have become Mahomedans.

13. The people of the Kátí-hí tribe have, to a great extent, become Mahomedans, but in name only; for they are said to be excessively ignorant of the simplest tenets of the faith. This

tribe were formerly settled in the Parchaghán Darah, on the river of Panj-sheer or Panj-her, where a small number of them, about 2,500 in number, still dwell, along with a number of *hasárah* people, the descendants of one of the Mughal *mings* or *hasárahs*, or military colonies, which was located in that neighbourhood in by-gone times, and also several Tájízk families. In former times, these Kátí-hí Káfírs used to levy black-mail from the people of Panj-sheer, or Panj-her, as they used to do from those of Badakhshán. The main portion of the tribe is now located in the tract of country lying two days' journey (about forty miles) north-east of the *darah* in which is the Kandah-i-Níl, or Táláb-i-Níl, or blue lake. This *darah* is of considerable size, and takes its name from the lake in question, the source of the river in the northern part of the Káfiristán, which the people of these parts, in the neighbourhood of Jirm of Badakhshán, confound with the source of the Jihún or Oxus. They call it the "Ummán," but that is an Arabic word signifying 'a sea.' This conjecture, of course, is entirely wrong: the river which issues from the Kandah-i-Níl is a branch of the Oxus, certainly, but its source is much farther north-east.

The *darah* of the Kandah-i-Níl lies to the north-north-east of the Parchaghán Darah, east of the Shúnah river, where the great range rises to a height of close upon 15,000 feet, and near which the Mandúl tribe of the S'áh-Posh dwell. The Shúnah river rises near the Koh-i-Káhún, some distance to the westwards of the Do-Káhah Pass, or the Pass of the Two Roads, but not "*Dora*," as in our maps and Survey reports.

14. The Gambír, or Kampír, or more correctly Gambhír or Kamphír, tribe (people of Persian and Túránian descent invariably leave out the *n* in foreign words) dwell on the west side of the great *darah*, or valley, of the Palpí Sang, or river of Káshkár, or Chitrál, and north of the district of Núr-Gal, in the northern part of which the Katar tribe dwelt a few years ago, before being reduced to slavery and partial extinction by the Afghans. The Gambírs, or Gambhírs, had not abandoned their ancient faith when I first wrote about them.

From Pashat to Útá-púr, or Astá-púr, where the Chághán Saráe Darah ends, in that direction, it is about nine miles north-west to the Bar-Kandaeý, the name of two villages of the Sáfi Afgháns, and fourteen miles farther upwards north-east, over a very difficult mountain range where, on a plateau or table-land, are four villages belonging to the S'áh-Posh. The first is called Gambír, or Gambhír, after the tribe; the second Sál-gár, or Sáê-gar, north of Gambhír; the third is Katar, which is south of Gambhír; and the fourth is Dey-uz, or Dí-éz, which lies east of Gambhír.

15. The Kaṭar tribe used to dwell north of the Darah of Núr-Gal, and north-west of the Chaghán Sará'e Darah, in a lofty mountain range, in the upper part of which, near the river of Púh, are two Sífáh-Posh villages; one Kaṭar, and the other Gambhír, and here and around the Kaṭar tribe dwelt. In the time of Bábar Bádsháh, this tract was considered to be in "the midst of the Kafiristán." He thus notices it :—"In the Hill country to the north-east [from Kábul] lies the Kafiristán, such as Kaṭar and Gibarak;" and again, in another place—"Núr-Gal lies to the west and Kunaṭ to the east of the river [the Kúnaṭ river], and the lower part of this *toman*, or district, is called Lamtah Kandey, and lower down the country is connected with Núr and Atar [Útá-púr?]

Seven and a half miles to the north-north-west of Shanbey-Gám, in Bar or Upper Chaghán Sará'e Darah, there is, or was, a stone-built fort called Kaṭar Kala', which the Sáfí Afgháns had taken from that tribe. The Kaṭars came more into contact with the Afgháns probably than the rest of the Káfirí tribes of this part; and the Afgháns accounted them as the most bigoted of the whole of the Sífáh-Posh. 'Abd-ul-Hamíd, the Mahmand Afghán Poet, in one of his Súfí Odes, thus refers to them nearly two hundred years ago :—

*"Káfirán bah da Kaṭar Musalmán shí,
Kah rakb mí pah jwárá wa-tarsedah."*

Which may be rendered :—

"The Kaṭar (Káfiris) will as soon become converts to Islám,
As the guardian (of the beloved) be softened by my tears."

The greater number of the tribe, however, if not the whole of them, have of late years, since 1840, been compelled to succumb to the Afgháns, who could not let them rest, and were always encroaching upon them and harrying them, and now they have been almost exterminated, or carried away into slavery to Kábul and other parts, and compelled to turn Mahomedans.

16. The country of the Wáe-Gal tribe lies to the west of Chitrál, or Lower Káshkár, along the south-western bank of the Palpí Sang, or Chitrál river, and bounds the Gambhír, or Kamphír, country on the north-west. This is the tribe of which Sharaf Gul, mentioned at page 36, was the chief. They latterly paid a small tribute to the Chitrál ruler, Tajammul Sháh in acknowledgement of his supremacy (or to keep him quiet). They have not changed their ancient faith.

Seeing that we have seized on Chitrál, we could have put forward a claim to the Káfiris also, and it would have been much more correct than the statement that Chitrál had been subject to Kashmír. The payment of tribute is a token of subjection.

17. The Kám-úz tribe—who are not called "*Kam*"—inhabits the *darahs* lying north of the Kamphír, or Gambhír, district above Núr-Gal, and between the river of Chitrál and the highest range towards Badakhshán, bounding the territory of lower Káshkár, or Chitrál, on the north. They adhere to their ancient faith, but paid a nominal tribute to the Chitrál ruler to be left unmolested.

18. The Nishá'í tribe (*Νισσιν*), or rather sub-tribe, originally dwelt in the *darah* of Kasí-Gar, or Kasí-Gal, east of the Shúnah river, as well as in the tract now occupied by them, along with a small number of the Pashá-Gar, or Pashá-Gal, tribe, which lies to the west of the *darah*, or valley, in which the Kátí-hí dwell. The large village noticed at page 36 is called Nishá'í after this sub-tribe, who, among their own people, are so famed for their valour and intrepidity as to have become proverbial, and are looked upon as being of higher descent than others.

It will be seen, therefore, that, out of the eighteen original divisions, or tribes into which the Sī'áh Posh Káfirís are divided, only nine, *viz.*, the Pashá-Gar, or Pashá-Gal, Mandúl, Samá-jíl, Sál-áo, Katar [within the last forty years or so], Gambhír, or Kamphír, Kám-úz, Wác-Gal, and Nishá'í, retain their ancient faith, and observe their former customs. They may be considered along with the tribes of Pán-dú, Wámán, Dúh-tak, and Wadí-hú—a few only of whom have adopted the Mahomedan faith, which has by no means tended to their improvement, but quite the contrary—as now constituting the whole of the real Káfirí race; for the Tapah-kál, Kátí-hí, Askín, or Skín, and Ashpín, or Shpín, have, for the most part, gone over to Islám, while the whole of the Chánaks have done so.

Those who have thus abandoned the religious observances of their forefathers, and who dwell in the *darahs* and hills bordering on the Afghán territories to the south and west, are called by the latter *Ním-chahs*; but they are by no means a separate race of people, but those supposed converted portions of the Sī'áh-Posh Káfirís whom I have mentioned above and the offspring of Afghán and Tájíík females whom they captured in their forays from time to time. The very name, *Ním-chah*, a Persian, or Tájíík, derivative from '*nim*,' half, and '*chah*,' a particle added to nouns to form diminutives, and to express contempt—'*half and half*,' '*neither one thing nor the other*,' '*neither Musalmáns nor Kafirí in their religion*'—should have suggested the solution of the question, even if the *darahs* which these Ním-chahs, whose origin has puzzled some recent writers so much, inhabited, did not exactly agree with the districts and tribes of the Káfirís mentioned in this account as

dwelling in the neighbourhood of the Afgháns and Tájíks. The two tribes of Askíns, or Skíns, and Ashpíns, or Shpíns and the Chánaks, are not termed Ním-chahs by the Afgháns, who know little about them or their antecedents, as they were nominally subject to the rulers of Chitrál.

Kanbar 'Alí Beg, an intelligent merchant who was a native of the parts lying near the Káfirís on the north, and well acquainted with these matters, told the author of the Survey I have referred to, when in that part, that the term *Ním-chah* is applied to the various tribes of people who have embraced Mahomedanism, outwardly at least, but who are in reality *Káfirís*, or infidels, and follow their old ways all the same. He said they were to be found in numbers in the different mountain tracts of Badakhshán, and in Chitrál, or Lower, and Mastúck, or Upper, Káshkár, that they are grossly ignorant in all things; and that, before they turned to Islám, they were styled *Ghalchah*, another Tájízik word signifying 'a vagabond,' 'reprobate,' and the like.

These Ním-chahs have intermarried with the Káfirís and Mahomedans—Afgháns and Tájíks—indiscriminately. They have also acted as guides and go-betweens on either side, when the Káfirís attacked the Mahomedans, or when the latter made forays into the country of the former, and sometimes have even joined in these expeditions. "They are excessively ignorant of the Mahomedan creed, and most of them appear ignorant of the necessary form of prayer." Such also was the opinion expressed of them, a few years since, by a well educated Mahomedan—a Turk not an Afghán—who knew them. They all drink a strong unfermented wine, which they keep a long time before broaching, another proof of their affinity to the other S'áh-Posh tribes.

There is a tribe dwelling among the S'áh-Posh Káfirís, but not of them, just like the Helots among the Greeks. These people are known as Bátis, and are probably the remnant of some of the aboriginals of the country or neighbouring parts. These people carry on all mechanical trades, such as those of blacksmith, carpenter, weaver, cutler, and the like, and all manner of occupations. The Káfirís themselves look upon such avocations as mean and disreputable, and consider the profession of arms and agriculture alone to be creditable. On journeys these Bátis are employed to carry baggage.

It is, or has been, a mistaken idea to imagine that the Káfirís sell their children. It was the Chitrál rulers who used to sell their own people; and when the people of Chitrál and Samghán, who are generally at peace with them, came into their borders for barter and for purchasing slaves, they used to sell them children of the Bátis tribe above alluded to,

especially the children of such among the Bárís as had misbehaved themselves. Yet, uncivilized as they are, it is possible they might, for a good reward, especially those adjoining Chitrál, who have become Musalmán in name, and whose cupidity has lately become great through the pernicious system of "subsidising," show little compunction in kidnapping their neighbours' children if a good opportunity offered, and with the chance of its not being found out; but it is the Mahomedan people of the Panjher, or Panj-sheer, Darah, who are chiefly guilty in this respect, and who surprise Káfirí boys whilst they are tending their flocks, and carry them off and sell them into slavery.

In this way, children of the Spín, or White-clad Káfirís, as well as others, have been brought into the Pesháwar district by the Káká-Khel Afgháns, who are great traders, and slave dealers, too, or used to be.

All broken victuals are kept for these Bárís, who sometimes come and stand behind a person whilst eating, to receive what is left of the meat. But if a Bárí should chance to come in front of a Káfirí while eating, it is considered defilement, and the aggressor is well abused and soundly beaten for so doing. Cases have been known wherein Bárís have been killed by enraged Káfirís, although killing them is also considered to be defilement; and in such instances a man's wife has been known to refuse to live in the same house with her husband, or to eat in his company, for having done so.

The original weapons of offence used by the Káfirís are bows and arrows, the former about four feet in length, which they call *shanat*, heavy, heart-piercing arrows, about two feet in length, and a long and broad curved knife, or dagger, very keen, and of a peculiar shape. They also use a smaller knife, about a foot in length, chiefly for cutting up their food with, and some among them possess swords, chiefly the spoils of their enemies. In the last century few among them possessed fire-arms: latterly, they have been better provided with flint-lock pieces, but to no great extent, unless they have since taken care to be so, which it is to be hoped they have. They consider their chief occupation to be that of carrying on war with races other than their own, Mahomedans, but Afgháns chiefly, who, in their lust after Káfirí boys and girls, will not let them rest. A man who does not show intrepidity in battle, and does not slay an antagonist, they style *dtwsá*, and look upon as despicable and base. They will not permit them to eat with them or sit down in their company, and food is handed to them over the giver's left shoulder; for they are not permitted to cook provisions for themselves, but must subsist on alms. Neither will they give them daughters or sisters

in marriage, nor would a maiden accept a *díwda* for a husband. In case of married men, even their own wives and children look upon them with contempt.

Their mode of fighting is to lie in ambush near the villages and grazing grounds of their enemies; for they very rarely attack them openly or in large numbers. Being very strong and active, they seem particularly fitted for stratagem, in which they are infinitely superior to their neighbours. If a Mahomedan enemy falls into the hands of a party of Káfirís, and he is killed, they gain no honour thereby collectively: the credit attaches to him alone who has first laid hands on the victim. When one among them slays his first man, they insert a gold ring in his ear, and, after the same fashion, a ring for every enemy (that is, an Afghán generally) he may subsequently kill.

Notwithstanding the natural animosity of the S'áh-Posh Káfirís towards their Musalmán neighbours, who have constantly made inroads into their country for the purpose of capturing and carrying off their people as slaves, and their cattle, and that the Káfirís lose no opportunity of making reprisals, and are constant in their endeavours to destroy them, as will have been seen by the preceding remarks, yet, when a Musalmán throws himself on the generosity, and places faith on the word, of a Káfirí—I do not refer to those near the Chitrál border, who have become demoralized by contact with Mahomedans, and those who have outwardly embraced their religion—he treats him in a most hospitable and generous manner. If a Mahomedan by chance falls into the hands of the Káfirís when out on one of their yearly incursions, and can say that he is the friend or acquaintance of a certain Káfirí of a certain tribe, if it is true, or supposed to be so, they release him; and if he happens to be accompanied by another man, he has merely to say: "This man is my friend, and I am the friend of such and such a Káfirí of a certain village," mentioning his name, to obtain his companion's release also.

If, during a fight, a man can succeed in placing his hand on the breast of his Káfirí opponent, he will not slay him. Burning the dwellings of their enemies they hold to be improper.

Those who have killed a Mahomedan in a foray, on their return home, are raised on the shoulders of the crowd of villagers, who come out to meet them—young and old; male and female—and conduct them in triumph home; the young maidens dance, sing, and clap their hands until they reach the hamlet. Those of their comrades who have not been so fortunate have to follow behind on foot; and, until they succeed, on some future occasion, in killing a follower of Islám

they are not allowed to sit in the assembly of the tribe, and are excluded from participation in all public diversions. They become, in fact, outcasts of society. When they have succeeded, however, in killing a Mahomedan, they are re-admitted to their rights as freemen, and become honourable members of Káfirí society once more.

These stringent and severe customs bear a striking resemblance to the warlike system of the Spartans towards those who fled from a stricken field, who were thereby deprived of their rights as freemen, and were subject to all sorts of indignity and contumely. They were not only excluded from all posts and employments in the State, from all assemblies and public diversions, but it was reckoned scandalous to make any alliance with them by marriage; and a thousand affronts and insults were publicly offered them with impunity.

To escape from this disgrace as soon as possible, it may naturally be imagined, these unsuccessful forayers lose no opportunity in going again to seek their enemies, and the young men require no stronger stimulant to urge them to the destruction of their natural foes. Those who, in the course of their lives, have never volunteered to set out on one of these expeditions, or may never have had the opportunity of doing so, are not subject to these rigorous rules, which only refer to those who, of their own free will, have set out for the express purpose of making an inroad into the territories of their enemies, after the termination of the annual festival now to be described; still those who have not killed at least one Mahomedan during their lives, are not held in much esteem.

The Káfirs once a year hold a great feast, or used to do so. Whether in the case of recent political events they have changed this custom in any way, to prevent hostilities, and avoid giving cause for such, I have not discovered. This was an ancient festival with them "from time immemorial," and continued for from twenty to forty days, and great preparations were made for it before hand by collecting quantities of wine and provisions; for open house is kept during its continuance, and people visit their acquaintances in rotation. During the festival, the villagers assemble together in the open air and make merry. The men perform a sort of war dance; and the women and girls fasten little bells round their waists and dance together. Their only musical instruments are a sort of tambourine, a pipe or fife, and a description of bagpipes.

On the day preceding the termination of this festival, the whole of the people, male and female, young and old, congregate on the green in the centre of the village, where all public assemblies take place, the males on one side, and the females on the other; and feasting and carousal, singing and

dancing, are kept up with great spirit until about midnight, when, on a given signal, the lights are suddenly extinguished the men rush on the women, and each man seizes the hand of the nearest female, or one whom he may have selected beforehand, if he can succeed in approaching her in the scuffle and uproar which now ensues. On these occasions, as might be supposed, very ludicrous, as well as awkward, mistakes are apt to occur. . . . The lights being extinguished, nothing more is said until morning. This particular day and night is called *Chilam Chutt*, and takes place about the month of June.

The day succeeding this, and the last of the festival, so called, all the people assemble together, and those who are desirous of making an inroad into the territories of their Musalmán neighbours get up, and stand on one side. On this one of the elders, or chief men of the tribe, gets up, and, after the manner of a Bard, or Scald, proceeds to harangue the audience on the deeds and prowess of their ancestors—how many Mahomedans they had killed in their life-time, how many of their villages they had plundered and destroyed—and enjoins them to take example therefrom. If there should be any one present distinguished for his actions against the enemies of their faith and people, his deeds are recounted and enlarged upon, as likewise the deeds of any other individuals the orator may recollect.

The Bard, or Scald, having finished his address, those present, with the exception of those who have volunteered to invade the country of their enemies, disperse to their several homes; and the latter proceed to make their arrangements for the expedition. Until they have matured their plans, and the party is ready to depart, no one in it either eats or sleeps in his own abode: but, wherever he may happen to be in the evening, there he sleeps for the night.

When the morning for the departure of the warriors arrives, the people of the village, or villages, as the case may be, supply them with provisions and wine for their expedition; and any requiring arms are supplied with them. Some conspicuous hill, or other place, is then determined on, on which a beacon fire is to be lighted on their return, in order that the villagers may come out to meet them. The necessary fuel for this beacon is then got ready, and piled up at the place indicated, in readiness; and, in case it might accidentally take fire, or some one might be so malicious as to set fire to the pile, all other persons are strictly forbidden to approach the spot, under pain of severe punishment.

Having shared the food and wine supplied to them by the villagers, each man places his portion in a small goat-skin bag kept for the purpose. Before leaving a halting-place, each one

conceals under a stone, or in some other place, a day's provisions to serve him on his return ; and this is done each morning before setting out for the next stage or halting-place.

The war party, having reached the borders of their enemy's territory, determine on some spot as the base of their operations, at which place also they agree to meet, if possible, every night. This arrangement completed, they roam throughout the hills, forests, and valleys in search of enemies, sometimes alone, sometimes in parties of two or four, and, at times, in larger bodies, according to circumstances. In the evening they meet at the appointed place, and relate to each other the adventures of the day, and the number of Mahomedans they may have killed.

In the cold season, the S'áh-Posh Káfirís used, in former times, to enter into a truce with the Tájzíks, as before stated, but rarely with the more cruel and bigoted Afgháns, with the exception of the Sáfís, and come down into the *darahs* dependent on the Kúnar district ; and it was on an occasion of this kind that the deputation from them waited on Sir W. H. Macnaghten at Jalál-ábád. A truce or agreement of this kind they call *arogh* ; and they never act falsely.

They are, or rather were, although very poorly armed in comparison, allowed by their Mahomedan neighbours to be superior to the Afgháns in battle ; but some of those dwelling nearest to Chitrál have been made tributary by the Dihgháns, or Dihkáns, or Tájzíks of that territory, but they merely paid a nominal tribute.

When the S'áh-Posh and Mahomedans wish to enter into a truce of friendship, as they sometimes do with the people of Badakhshán and Chitrál—the Dihkáns or the Tájzíks—they exchange weapons, and, until these are again returned, they remain in peace ; but, after they have been given up, the friendly intercourse ceases, and hostility remains in force as before.

Another custom is to kill a goat and dress the heart, of which the contracting parties each take a portion, and after that salute each other ; but this mode of agreement is not so binding as the former, which is considered sacred. Another mode is to light a great fire and throw the head of a goat into it, which is immediately withdrawn ; and they will not act contrary to such a compact or break their oath.

The Káfirís follow a different practice in entering into agreements among themselves. They take a piece of gold, or a golden ornament, and place it in a cup filled with water, and the terms of the compact, or promise, having been stated, each of the contracting parties drinks off a small quantity of the liquid, after which the agreement is binding. This form of compact they designate *sún-wuruk* or *sun-as-wí*, *sún* being the name for gold, and *as-wí*, water.

Another method is to take a piece of salt, which each party tastes, and the compact is complete. This, however, is a custom usual with most eastern people.

They used formerly to make incursions into the territories of Bájawr, Dír, and Pashat, and lie in ambush in the passes and routes among the mountains, and slay travellers without any sordid desire of merely obtaining their property. Their inveterate hostility towards Musalmáns, and Afgháns in particular, is not to be wondered at, considering the way they have been treated by them for a long time past. Lately, however, being enclosed on all sides by enemies, they have not been able to do much against them in restraining their encroachments and the seizure of their people for slaves.

In mode of dress the S'áh-Posh Káfiris somewhat differ from each other ; but all wear the black goat-skin garments from which they have derived the name of "*S'áh-Poshán*," or black-clad.

Thus the Nishá'-í sub-tribe of the S'áh-Posh, and the Kám-úz, Gambhír, Kaṭor, and Wáe-Gal tribes, dress precisely alike, namely, in a shirt, trousers or drawers, neither very light nor very loose, and a sort of a scarf, all of *karbás*, or coarse cotton cloth, besides a black garment similar to that worn by the *fakirs*, or devotees, of Kábul, consisting of a wide *chokah*, or *choghah* (a Turkish word), with short, wide sleeves, made of a peculiar kind of wool. This they put on over the under-dress, and over all are worn the black goat-skin garments.

The other tribes, the Káti-ní, Pashá-Gar, or Pashá-Gal, Pándú, Wámán, Mandúl, Samájl, Tapah-Gál, Chának, Dúh-tak, Sál-áo, Askín, or Skín, Ashpín, or Shpín, and Wadí-nú, wear a dress called a *chakman* [in Turkish—from the Mughals and other Turkish races formerly, and still in possession of the neighbouring parts], which is sometimes brought to Kábul for sale, and is made from wool of various colours ; drawers or trousers called *buzo*, also made from wool, and a coarse cotton shirt, as worn by the other tribes.

In the winter season, in the more elevated parts, on account of the snow, which lies on the ground for several months together, they are in the habit of wearing shoes made from black goats-hair woven strongly together. In summer they substitute the *chárúk*, a sort of half-boot made of goat-skin with the hair outwards, to lace up in front. These are similar to the boots worn by the mountaineers of Panj-sheer, or Panj-her, who are, by all accounts, converted Káfiris originally, and somewhat like the shoes of skin, with the hair outwards, worn by the Scottish Highlanders.

They wear a strap, or belt, of cow-hide round their waists, and most of them on their heads—which few of them cover completely—a particularly small skull-cap, which

does not cover more than a quarter of the head, and which is fastened by a leather strap, or cord. These are the Káfirís best known to the Afgháns of Kábul and Jalál-ábád and vicinity—the southernmost tribes—; but others, again, wear a narrow band, or fillet, made of goat's hair of three different colours—red, black and white—; about a yard or a yard and a half in length, wound round the head.

The men wear a small tuft of hair on the crown of the head, which they call *tsara'í* and *tsarna'í*. They wear beards generally, and keep their moustaches and whiskers well trimmed. Some only shave round the mouth, and others again cut off the beard entirely.

The females dress in a style similar to the women of the Kohistán, or high lands of Kábul, *viz.*, loose drawers, tight at the ankles; a long shirt, or chemise, a *chadar*, or veil, and a small skull-cap, under which the hair is braided, which is very long and sometimes in such profusion that, when let down, it covers the whole person. Their ornaments or trinkets consist of flat bracelets on the wrists, necklaces, ear-rings and rings on the fingers. Those of the rich are mostly of silver, and rarely of gold; while the ornaments of the poorer classes are generally of brass or copper. The men wear rings in the ears, as before noticed, and on the fingers.

Those females whose fathers or husbands may have slain one or more Musalmáns, have the privilege of ornamenting their caps and locks with *kaurí* shells. Young virgins, instead of the skull-cap, fasten a fillet of red cloth round their heads, which they adorn with shells, if entitled to the privilege.

The manners and customs of the different tribes are alike: they celebrate their joys and their griefs, their marriages and their funerals, after one and the same fashion. Some other of their usages have been already related at pages 19 and 26.

They eat anything in the way of flesh, including beef, with little exception, but the flesh of sheep and goats chiefly, and also the game they capture in the chase, such as deer, antelope ibex, the *kúchár*, or mountain sheep—the antlers of which they set up in their places of worship—and other smaller animals; but, although they are said to breed a great number of fowls, they will not touch them for food. They are rich in herds of oxen and cows, and flocks of sheep and goats, the latter of a very superior kind; but sheep are not so numerous; dogs and cats are common.

The other articles of food consist of bread, unleavened, but in comparatively small quantity, made from three different kinds of grain, wheat, barley and *arzun*, or millet, mixed together and ground to flour in a handmill. The dough is made into thick cakes, and is baked in an oven, or on an iron

dish, or "girdle," suspended over the fire. Milk, curds, cheese, butter, honey, a few herbs and vegetables, and fruit, which latter the country produces in great quantities and of excellent flavour, among which are grapes in abundance. All classes of people drink a great deal of wine of their own making, which is kept in skins, as do most of the inhabitants of the adjoining countries professing the Mahomedan faith, such as the Chitráls, the people of Gilgit and Gunjut, belonging to Yasin, the Badakhshís, and the Núm-chahs. On public occasions the Káfris are very liberal with it; and it is put into vessels and placed in convenient places, where all may come and help themselves. There are stringent regulations regarding picking the grapes before a certain day, and great care is taken in their cultivation.

The best wine is much better in flavour than in appearance, and would be better for fining. It does not seem to be of a very intoxicating nature, judging from the deep potations in which they indulge, without becoming over-excited or quarrelsome. Bábar Bádscháh says: "The people are wine-bibbers, and so prevalent is the use of wine among these people, that every Káfirí has a *khig*, or leathern bottle, full of wine hung round his neck; for they drink wine instead of water." The Bádscháh himself was not behind in such matters, and often tasted the wine of the Káfirís. During one of his excursions on a raft on the river of Kábul, in January, 1520 A. D., he sent Haidar, the standard-bearer, to the Káfirís; and, at the bottom of the *Kotal* of Bádscháh, the headmen of the Káfirís of that part presented themselves, bringing with them several skins of wine.

When a guest enters a dwelling, whatever eatables and wine are at hand are immediately set before him. When he has finished his repast, the people of the house eat, but not before. If the guest should be a Mahomedan, or of any other religion than their own, they bring him a sheep, or goat, that he may slaughter it according to his own usages. After he has selected a portion for himself, which he is also permitted to cook if he wishes it, the family take the remainder of the flesh for their own consumption. They do not object to eat food that has been left by persons of a different race or religion.

After a guest has once crossed the threshold, the master of the house alone waits upon him. The brother of the host, or the other members of the family, being prohibited from supplying the stranger with any thing, even water to drink, without the master's sanction; so much do they respect the rights of hospitality. In the same manner, no person of a village in which a guest may be staying can venture to entertain him without the consent of the host; but, with the latter's consent,

the guest is permitted to visit the other people of the village, the headman in particular. On entering any house, at whatever time of the day it may happen to be, wine and victuals are immediately placed before him, and of these he is pressed and expected to partake.

Their method of slaughtering cattle is strange and superstitious. The animal, having been brought out, is seized by the head by one man, whilst a second strikes it a blow on the neck with a sword, or long and sharp knife. If the head is severed from the body with one stroke, which is generally the case, the flesh is considered pure and lawful and fit for food, but if not, they give the carcase to the Bárís, already noticed.

The guest, whether male or female, sleeps in the same apartment as the family, a custom prevalent, I believe, in many very cold countries, for the sake of warmth; and the Káfirís themselves, when guests of others than their own people, would be much annoyed to be put into a separate room. A Káfirí of the Káti-hí tribe, I was told by a Mahomedan of the village of Moyah, came there during a time of *arogh*, or truce, between them, and was entertained in the house of a Musalmán acquaintance. When bed-time arrived, the host pointed out a convenient place for him to sleep in. He was very much put out, and exclaimed: "You came to my dwelling and slept in the same place my family and self occupied, whilst I, being your guest, am to be put into a separate sleeping place; what sort of hospitality is this?" After much trouble and entreaty the host succeeded in making room for him in the same sleeping apartment with his family, and his Káfirí guest became pacified.

The towns and villages, some of which contain three and four hundred houses, are almost invariably built on the steep acclivities of the mountains, on account, partly, of the generally irregular nature of the country they inhabit, and also as being better from a defensive point of view, in case of invasion. Some few villages are situated in the valleys, and on the table lands, towards the northern parts of the country. They never dwell in tents; but some are said to dwell in caves, as many people of the surrounding parts have done and do, and have very commodious ones, which have been inhabited for ages past.

Their houses are generally built of stone in frames of wood, with flat roofs, and are of one storey in height, sometimes with wooden balconies and a room above. Some dwellings, according to the means of the owner, contain several rooms, furnished with wooden benches, or tables, stools made of wood, and sometimes of wicker-work, covered with great skins; for the Káfirís cannot sit cross-legged with any comfort, in oriental fashion, and in this point particularly are quite like Europeans. Their

beds are made of wood, and similar in form to the Indian *chhárpáde*—a simple frame with short legs, and over the frame they lace bands of leather.

In matters of religion the S'áh-Posh tribes are said by the Mahomedans to be "exceedingly ignorant;" but this remains to be proved. Their forms and ceremonies, such as are known, are idolatrous, but little is known for certain respecting their belief, and the present invading Afgháns are destroying every thing in their way that would throw light on the matter. Some say their religion is that of Zardusht (*vul.* "Zoroaster"), and certainly some of their customs are similar to those of people of that creed. Others, again, have said that "they are of the Yahúdí (Jewish) faith, and some native authors have even gone so far as to assert that they are Nasáris (Christians)."

Their ceremonies consist chiefly in sacrifices of cows and goats to their deities, whom they call Shúrúyah, Lámáni and Pándú, which latter would, if it is correctly spelt, lead us to imagine that it referred to the Hindú deity, Yudhishtira. Each village contains a temple, or place of worship, differing but little from the ordinary dwellings of the people, in which the wooden representations of the three deities mentioned are placed. Their idol temples are kept well ornamented, and the walls adorned with antlers of the deer and such like animals taken in the chase. The faces of their idols are said by Mahomedans to be washed with the urine of cows and goats, when they seek to propitiate them and ask a blessing.

Fire appears to be necessary in most of their religious ceremonies, and a Káfirí has great antipathy to extinguishing it with water, or even to blowing out a flame with the breath; yet they do not keep up the sacred fire like the followers of Zardusht, and do not seem to know anything concerning it. At the same time, a number of their usages bear a great resemblance to those of the Gáhrs. An intelligent traveller (Wood) also notices the repugnance with which an inhabitant of Badakhán blows out a light, and says that People of Wákhán consider it bad luck to blow out a light with the breath, and one of them will rather wave his hand for several minutes under the flame of his pine slip, than resort to the sure, but to him, disagreeable alternative.

Within a short distance of every village, there is a building set apart for the reception of females during certain periods, and in cases of child-birth. While they are there, food and clothing and all else they may require are supplied to them; and in the latter case, the mother and her offspring must remain there for a period of forty days, after which she returns home with it. During these periods, they must on no account put their hands to any vessel used for food, or for drinking pur

poses. If they should do so, it must be destroyed; for their touch is considered impure.

These "lingering remnants of Zardusht's creed," however, are not astonishing when we know that the parts in which they dwell formed a portion of the great Persian empire, which was only finally extinguished in the year 642 A. D., and that the adjoining city of Balkh was the '*Ka'bah*', so to say, of the Fire-worshippers, and that the Mágíán religion extended over Bakhtra, as far as the mountains of the Indian Caucasus and the valley of the Jíhún, or Oxus. It was not, therefore, so very extraordinary a thing that a Babylonian seal should have been found near Dír in the Panj-Korah river, as was thought some years ago. (*Ro. Geog. Soc. Proceedings*, January, 1884).

The Káfrís have hereditary priests, who assist at the different feasts and ceremonies, and who are supported by voluntary contributions, and a double share of victuals and wine at festivals. Their influence, however, is very slight, and the elders and chief men of tribes appear to hold all authority.

When a death occurs among the Káfrís, the females wail and beat their breasts, as in most eastern countries. A likeness of the defunct, whether male or female, is then made, and as like the deceased as possible. Should the person have been blind, or have lost an eye, it is represented in the image, and even scars on the face or body are depicted. This done, the corpse is arrayed in its best apparel, and placed in a wooden coffin, the lid fastened down, and borne to the place of cemetery, generally in the front of each village, and at about a quarter of a mile distant. The women, weeping and wailing, precede the corpse, which is placed on a cot, or sort of bier, and borne by four or six persons, the men following, chaunting the praises of the deceased. When the corpse is set down to relieve the bearers, the men dance round it, at the same time continuing to chaunt in a low voice, with drums beating. There is no mourning: no lamentation. On reaching the place of sepulture, the coffin is set down in a cave, or cavity of the mountains, in the open air (*i.e.*, it is not covered), and the procession returns. After this it is necessary that the relations of the deceased should kill an ox, or a cow, according to the number of persons to be entertained, besides sheep, and goats, and give feast, at which wine is not spared.

Muhammad Humáyún Bádsháh, when setting out from Kábul to recover Hindústán, and proceeding into Nangrahár, left Mun'im Khán in charge of the Kábul province, and despatched Báyzíd, the Byát, to collect the revenue or tribute from the Alingár people. •Remarking on the customs of the Musalmáns of this part, he says:—"The next day the Kázís of Alingár presented themselves. It is customary with these Kázís, when

they appear before the authorities, or visit the ruler of the district, to take wine and sweetmeats as a present, and, if the people have any disputes to settle, they send for the Kázís to come to them, instead of the disputants going to the Kázís. If any among the people of this part die, the corpse is washed and placed in a coffin, and, when taking it to the burying place, they set it on the ground in order to change the bearers, *which is directly contrary to the custom of the Mahomedans*, who relieve each other as bearers without setting down the coffin. The funeral party, having set it down, drink wine, or some other liquor (búzah), and dance round it, after which they take it up again, and the corpse is committed to the earth."

The Dúh-tak tribe of S'áh-Posh dwell in the upper part of the Alingár valley; and these remaining traces of former customs much lower down show that they, or some other Káfirí tribe, dwelt still lower down the Valley, as the Káfirís themselves affirm.

If a young man falls in love with the daughter of any one, and desires to marry her, he takes an arrow, which he has previously smeared with blood, and discharges it into the dwelling of her parents or guardians, but in such wise that it shall not injure any one. He then goes away to the chief man of the village and acquaints him with the same. The girl's father, or relations, or master, if she is a slave-girl, having discovered the arrow, make inquiry among the neighbours whether they know who discharged it. Then a confidant of the lover comes forward and makes known the young man's name, and proposes to the tribe, or community, that the girl be given to him to wife. If they agree, which is generally the case, they fix the amount of dowry, consisting of cows, goats, sheep, land, ornaments, etc., which must be made over to the damsel's parents, guardians, or master, by the intended bridegroom before a certain day. If he has sufficient property of his own for his marriage expenses, it is well; otherwise the tribe raise a subscription among themselves and set him up in the world.

The day for the celebration of the marriage being fixed, the people of the village and neighbouring places are informed, and invited to attend. The father of the bride feasts the guests sumptuously for a period of from five to ten days, according to his means, during which time dancing and singing are kept up with great spirit, accompanied by the music of a sort of tambourine and a pipe or fife. On these occasions the wine flows freely.

On the last day but one, the father gives his daughter such dowry as his means will afford, which generally consists of a suit or two of clothes, a few brass or silver ornaments, a few goats, some household utensils, and, if his circumstances will permit, a cow or two. Rich fathers add one or more slaves.

On the last day of the bridal, the bride and bridegroom are decked out in their best apparel, the bride's consisting of capacious flowing garments. They are conducted into the centre of the place, where the guests are assembled. A goat is then brought in, and the bride is placed at its head and the bridegroom at the tail. One of the elders present then stands at the side of the goat, between the couples, and commences to relate the warlike and virtuous actions of their respective ancestors, and exhorts them to follow their example and live happily together. After this he slaughters the goat, which he gives to a priest as his fee : the bosom of the bride's dress is filled with sweet fruits, which it is considered a good omen for the relations to take a handful of ; and she is then made over to the bridegroom, who takes her to his home : and thus ends the marriage ceremony.

The age for marriage is from twenty to twenty-five for males ; but it mainly depends upon whether a person can afford to support a wife. For a female the age is from fifteen to twenty, and sometimes much older. Polygamy is rare, although not accounted unlawful ; but it is only men well off in the world who can afford to purchase female slaves. Adultery is of rare occurrence, and its punishment is divorce.

The Káfirís have European features and a highly intellectual cast of countenance. They have both blue and dark eyes, arched eyebrows, long eyelashes, and broad open foreheads. I do not refer here to the mixed races adjoining Chitrál. Their hair varies in colour from black to the lightest brown ; and both males and females are tall and well-made, and of handsome figure. The females are remarkable throughout the neighbouring parts for their beauty. They all go about unveiled.

One of my Mahomedan authorities writes : "The male and female slaves of this race are exceedingly faithful and good-natured towards their owners, and, alas ! that but few are attainable." To obtain more is one of the chief objects of the present invasion.

Such is a brief account of the Káfirís and their country. Had they been annexed, instead of certain Afghán tribes, which will always be disaffected, they might have become a tower of strength to the Indian Empire, an impregnable advanced post against any enemy, from the north, east, or west ; but now this most interesting race, of whom so little is really known, are being exterminated by means of weapons of destruction supplied to the Afgháns by the British Government, and their women and children carried away into captivity, by the modern Nebuchadnezzar who is subsidized by the same Government, and they will be wiped off the face of the earth before their traditions and antecedents can be examined in their purity and actuality.

H. G. RAVERTY, MAJOR,
Bombay Army (Retired).

January 15th, 1896.

ART. V.—THE ITALIAN PENAL CODE.

THE present Penal Code of Italy was passed into law on the 30th June 1889, and came into force on the 1st January 1890. Rosmini was the first to demand for Italy what Thibaut had demanded for Germany, a common code, and still more a common procedure, as one of the most powerful and pacific means for uniting and strengthening the scattered limbs of a beautiful country.

The previous Criminal Law.—Up to the 31st December 1889, the various provinces of Italy were governed by diverse criminal laws. The *Albertine Code*, of the 26th October 1839, was in force in Piedmont and Sardinia, while the Lombardo-Venetian Provinces were subject to the Austrian Code of the 1st September, 1852, which, somewhat curiously, remained in vigour for some time after the Austrian occupation had ceased. Parma and Plaisance, Modena, Tuscany, the two Sicilies, the States of the Church, all had their own codes. This was prior to the Treaty of Vilefrancha. Events subsequent to that treaty, while leaving Tuscany its own legislation, brought about the promulgation of two new codes, one for the northern and central, the other for the southern, part of the peninsula. There were thus three codes in force on the 31st December, 1889: the Tuscan Code of 1853, the Sub-Alpine Code of 1859, and the Sardo-Neapolitan Code of 1861.

Commissions and projects for the new Code, and its passage through Parliament—Unification being deemed necessary, the Chamber of Deputies decided, in 1865, at the instance of Mancini, to extend the Sub-Alpine Code to the whole kingdom; but nothing came of it, as the Senate showed itself hostile to the abolition of capital punishment. Two commissions were then appointed, one to organise a prison system, the other to prepare the new code, and important projects were prepared in 1868. The judges proved to be the most determined opponents of the abolition of capital punishment. In 1869 a new commission was appointed, and in 1870 it submitted three projects or drafts, one of a Penal Code, one for repressive police, and one of a prison system. A further draft was submitted to the Senate in 1873, and finally approved by them in 1875. A portion was laid before the Chamber of Deputies in 1876, and approved by them in 1877. It is not necessary to note the further discussions and reports; but, on the 22nd November 1887, Signor Zanardelli, who had become Minister of Justice for the second time, presented to Parliament a complete project of

three books, accompanied by a learned report. The Bill passed through both Chambers in 1888, and received the Royal assent in the same year. The Code was published by a Royal decree of the 30th June, 1889, which directed that it should come into force from the 1st January, 1890. A second decree, of the 1st December following, placed its provisions in harmony with those of the Criminal Procedure and other laws. As the inevitable consequence of this unification, the law gives the power of revision in criminal matters solely to the Court of Cassation in Rome, the other courts of cassation ceasing to exercise such jurisdiction.

The Penal Codes of the Century.—The framers of the Italian Penal Code investigated the whole field of penal legislation, and especially the laws which had been in force in the Italian Peninsula, namely, the laws of Piedmont, the two Sicilies, and Tuscany. During the first half of the 19th Century, the French Code of 1870 and the Bavarian Code of 1873, the work of Feuerbach, were the types on which most of the Penal Codes of Europe were modelled. Spain in 1848, Prussia in 1851, Austria in 1852, accomplished some improvement. In 1864 Sweden substituted new provisions for the penal portion of its general Code of 1734, and in 1866 Denmark recast the sixth book of the general Code which, in 1687, it had received from Christian V.

But it was Belgium, imitated in 1879 by the grand Duchy of Luxembourg, which really inaugurated the work of reforming the penal law. The Belgian Code of 1867, while adhering to the main lines of the French Code of 1870, is a marked improvement on it. The confederation of North Germany was given a code in 1870, and this was extended in 1871 to the new Empire. This code was modified, as regards its severity, by the law of the 26th February, 1876. Holland promulgated a precise and original code in 1881. Hungary has been given two codes, one dealing with crimes and delicts (1878), the other with contraventions (1879). Portugal got a new code in 1886. Spain, after having amended, in 1850 and 1870, its law of 1848, has elaborated, since 1880, three successive projects, of which the last was presented to the Cortes in 1885. The Russian code of 1845 was amended in 1885, and further reforms are on the anvil. Austria has, since 1878, through many difficulties, been aiming at the achievement of a new Penal Code, which is destined to take the place of the code of 1852. England only still lags behind, with its motley and bewildering patch-work of statutes and decided cases. Brougham's dream seems to be as far from realisation as ever. The task of codifying the Criminal Law was entrusted, in 1874, to Sir James Stephen, who submitted his Digest in 1878. It still awaits the leisure of the

House of Commons; or, perhaps, it is that the lawyers, a powerful party in the House of Commons, are not anxious to see any simplification of the Criminal Law. In France, a Ministerial Commission has been engaged for some years on the revision of the Code of 1870. All this legislation and legislative literature has been taken stock of in the preparation of the Italian Code.

The Code has followed the dual classification into *delicts* and *contraventions*, getting rid of the triple division of the French law into crimes, delicts and contraventions. It consists of three books, one dealing with penal infractions and punishments in general, the second with the different kinds of delicts, the third with the different kinds of contraventions.

BOOK 1.

INFRACTIONS AND PUNISHMENTS IN GENERAL (ARTS. 1-10.)

Title I.—The Application of the Penal Law.—No person can be punished for an offence which the law does not expressly declare to be an offence. This gets rid of the uncertainty in English law as to what commissions and omissions are or are not *indictable at the common law*. Article 2 declares the non-retrospectivity of the Criminal Law. If an act, by reason of a subsequent law, ceases to be an offence, any person who is in prison for having committed such act must at once be released. If the law at the time of the commission of the offence and the subsequent law differ, that law is applied which is most favourable to the accused.

Ex-territorial application of the Code.—Articles 3 to 8 of the Code deal in a happy manner with offences committed by Italians outside the kingdom, and by foreigners in the peninsula or outside it. First the territorial character of the penal law is affirmed, and then its ex-territorial, or personal, characteristics are described. The ex-territorial application of penal law is being more and more recognized by legislators, and is triumphing over the resistance which the principle of ex-territoriality has met with in Anglo-Saxon laws. The French Law of the 27th June, 1866 (which amends the Criminal Procedure Code of 1808), does not punish any offence which foreigners who have come to France, have committed elsewhere, either against Frenchmen or against persons belonging to other nations. The new Italian provisions, then, are a distinct advance, consecrating as they do the principle of the universality of the right to punish, and gradually paving the way for a common understanding among all nations as to the application of criminal laws.

As regards extradition, Art. 9, Italy, like several States

of Europe and America, does not withdraw extradition, which is an act of the sovereign power, from the decision of the executive, but requires an order of the judicial authority, and imposes guarantees, which are becoming more indispensable in proportion to the extension of extradition treaties and conventions. As these treaties are being developed, extradition is coming to be simply the refusal of the right of asylum, and the restrictions on such refusal are becoming fewer and fewer. Probably the time will come when no man will be able, by fleeing to another country, to escape the consequences of his criminal acts.

TITLE II.—PUNISHMENTS (ARTS. 11-30.)

According to modern ideas, punishment is not intended to avenge the victim or society, nor to afford reparation for the injury suffered, but, as regards the social body, to re-establish the order which has been disturbed by the violation of the law, and, as regards the criminal, to bring about his reformation. Some Jurists go so far as to call punishment "the right of the offender to be reformed."

The Italian Code, in common with almost all other codes, does not reproduce the ancient and irrational distinction between punishments which are disgraceful or degrading (*infamantes*) and those which are not so—a distinction made in the French Code of 1870. No punishment is considered to be degrading. Penal labour which humiliates the prisoner, without exercising any moral influence over him, is abolished; to be reformatory, work must be useful, and it is considered that such punishments as the crank, shot drill, and tread-mill, are irreconcilable with the principles of new penitentiary systems. Confiscation of property is prohibited, while transportation and banishment find no place in the Code. Banishment was considered to be a legacy of barbarous times, while the absence of colonial possessions probably explains the exclusion of transportation from the category of punishments. Corporal punishment, the severity of which has been lessened by England, and which was abolished even by Russia on the 17th April, 1863, had long been rejected by the laws of the Italian States. Finally, capital punishment finds no place in the Code.

DIFFERENT KINDS OF PUNISHMENT.

The Code contains two lists of punishments, one for delicts, the other for contraventions. The punishments prescribed for delicts are the following:—

1. Perpetual imprisonment (*ergastolo*.)
2. Reclusion.
3. Detention.
4. Confinement.

5. Fine (*multa*.)
6. Prohibition of the exercise of public functions. Those prescribed for contraventions are—
 1. Deprivation of liberty.
 2. Compensation (*ammenda*.)
 3. Suspension of the exercise of a profession or trade.

CAPITAL PUNISHMENT.

The *ergastolo* is the substitute for the punishment of death. Italy is the first important State which has abolished capital punishment. It had been finally * abolished in Tuscany in 1859, but the opposition of the magistracy † and the Senate prevented its abolition throughout the whole kingdom. The punishment was abolished in Greece in 1862, in Portugal in 1867, and in Holland in 1870. The opinion of Jurists seems to be against its abolition, as any substitute must be either too rigorous, demanding an agency more cruel than the executioner, or must be insufficiently repressive. Even the humane Beccaria declared that the punishment was necessary when it was the sole means of turning men from the commission of great crimes. If the discipline of a single department, the army, requires that a soldier should be shot down by his comrades, there can be no iniquity in delivering an assassin to the executioner for the preservation and protection of the whole fabric of society. In connection with the question, it is significant to note the experience of Switzerland. From 1856 to 1873 several cantons abolished capital punishment, and Art. 65 of the Helvetian Constitution, of the 19th April, 1874, made such abolition universal. This provision was abrogated on the 18th May, 1879, and each canton was given the power to restore capital punishment, except for political offences. No fewer than eight cantons have already availed themselves of this right, and it seems probable that in a country like Italy, in parts of which the knife and dagger are freely used, capital punishment will have to be resorted to again. It must be said, however, that the penalty of death is rarely inflicted in Belgium; in Germany it is habitually commuted, while executions are extremely rare in Sweden, Norway, and Denmark.

PUNISHMENTS RESTRICTIVE OF PERSONAL LIBERTY.

At the summit of the ladder of punishments restrictive of personal liberty is the *ergastolo*, which is a perpetual punishment, undergone for the first six years in cellular isolation,

* It was first abolished in Tuscany in 1786, restored in 1890, suppressed again in 1847, again restored in 1852, and finally abolished in 1859.

† The Court of Cassation of Florence was the only Court in favour of the abolition of the capital penalty.

and afterwards in association with other prisoners, but under the obligation of silence. The severity of this punishment is, in practice, mitigated in various ways, even to the extent of liberation.

The period of both reclusion and detention may extend from three days to twenty-four years. Reclusion corresponds to imprisonment with hard labour, and is the punishment for the worst offences, while detention is rather a sort of *custodia honesta*, imposed for offences of lesser moral gravity. Persons sentenced to detention are placed, not in the ordinary prisons, but in special establishments; they are allowed to choose what work they will do, and are isolated only at night. Reclusion is undergone for a first period in cellular isolation (the Philadelphia system—English separate confinement), and afterwards in association during the day, with separation at night (the Auburn system, or penal servitude). When the prisoner has been sentenced to not less than three years, and has undergone half the imprisonment with good conduct, he can serve out the remainder in an agricultural* or industrial penitentiary establishment (intermediate prison), or even on public or private works, under the supervision of the administration. In both reclusion and detention, when the punishment exceeds three years, conditional release for good conduct is accorded—in the former case, if the prisoner has served three-quarters of his term and not less than three years, in the latter case, if he has undergone half, always provided that the remainder of the term does not exceed three years. This is the English *ticket-of-leave* system, which has been adopted by other countries, and especially France and Belgium, where the principle has been much extended, and conditional liberation can be granted even after a detention of only three months.

The punishment of *confinement* (*il confino*) consists in the obligation imposed on the condemned person to live, for a period of not less than one month and not exceeding three years, in a particular commune specified in the sentence, which must be at least 60 kilometers distant from the commune in which the offence was committed, and also from the communes where the injured persons or the accused reside. If the prohibition is disobeyed, the confinement is converted into detention for the remaining period. The project of Signor Zanardelli contained also the punishment of *local exile*, which permitted the convicted person to live in any commune he pleased, provided it were 20 kilometers from the communes above mentioned. The Spanish

* Italy has well-organised agricultural establishments at Pianosa, Monte Cristo, Gorgona, Giglio, and Tremitu. France has agricultural penal colonies in Corsica and Algeria, Austria has them in Carinthia, and Prussia has now started them.

law has a punishment *destierro*, which prohibits the convicted person from living in or going to the places specified in the sentence.

The new Code distinguishes two sorts of fines, the *multa* for delicts, and the *ammenda* for contraventions. In default of payment, detention is imposed in the former, and *arrest* in the latter case. Detention in default of payment of fine can never exceed a year. In both cases, labour in the service of the State, Province, or commune may be substituted for imprisonment, two days' work being equivalent to one day's imprisonment. This excellent principle has been further extended in some legislations,* the fine being made payable in money or work, and imprisonment being permitted only in default of both. The Portuguese Code allows payment of fine by instalments, when the accused gives security.

The interdiction of public functions is perpetual or temporary. It involves the deprivation of every political right, public function, academic degree, honorific distinction, &c. The law determines when it is confined to some of the above, or extends also to the exercise of a profession or trade.

The three punishments prescribed for contraventions are *arrest*, fine, and suspension of the exercise of a profession or trade. Fine has been dealt with above. As regards "arrest," the Italian legislator has shown a proper determination not to harden or demoralise petty offenders. This punishment varies from one day to two years, and is undergone in special houses or establishments, with the obligation to work and isolation at night only. In the case of women and minors, who are not recidivists, when the punishment does not exceed one month, the judge may order the punishment to be undergone in their own houses. The law determines the cases in which the punishment may be undergone in some State workshop or even on some work of public utility. The power to allow women and minors to undergo the sentence in their own houses seems to be a most salutary provision. The principle was probably borrowed by Italy from some other Codes.† If the order is transgressed, the ordinary punishment must be undergone.

The suspension of the exercise of a profession, or a trade extends from three days to two years. It is intended to check the abuse of any profession or trade. One or two drafts had

* The Helvetian Federal Law of 30th June 1849; the Berne Prison Code, Art. 523; the French law of 18th June 1859, antending the Forest Code; the Prussian law of 15th April, 1872 on forest offences. The subject was discussed at the Prison Congress, held in Rome in 1885.

† Austrian Code, Arts. 246, 262; Zurich Art. 17; Ancient Code of the two Sicilies, Art. 38. We find in Ulpian—*Potest præses quemdam damnare ne domo sua procedat. De Pænis, XLVIII, 19.*

confined such suspension to those professions or trades for the exercise of which a diploma, license, or permission is necessary, but the Code, as passed, contains no such restriction.

THE JUDICIAL REPRIMAND.

The Judge may substitute the judicial reprimand for the punishment pronounced by him, in certain petty cases in which extenuating circumstances are allowed and the offender has not been previously convicted of any delict. This reprimand consists of a warning, suitable to the position of the person and the circumstances of the act, publicly* addressed by the Judge to the offender in open court. If the offender does not appear on the day fixed by the reprimand, or if he does not receive it with respect, the sentence pronounced is enforced. In the case of reprimand, the convicted person has to bind himself by a personal bond (giving substantial sureties also, if so required by the judge) to pay a fixed sum, by way of penalty, if he commits any further infraction within a time to be specified in the sentence; and, in case of infraction, the original punishment, too, can be inflicted. This indulgent provision of the Italian law is intended to excite a desire to reform, and proceeds on the assumption that kindness may be more efficacious than severity;† while the taking of security is considered to be a good safeguard against recidivism.

The judicial reprimand must not be confounded with the preventive warning or admonition dealt with in Arts. 105-109 of the law of the 20th March, 1865, relating to the Public Security; which warning is given by the Proctors, at the instance of the Police, to idlers, vagabonds, and suspects.

SPECIAL SUPERVISION OF THE OFFICERS OF PUBLIC • SECURITY.

The law determines the cases in which the Judge must add to the punishment the sentence of special surveillance. Such surveillance cannot be imposed for a less term than one year, or for more than three years. The offender must, within fifteen days of his release, inform the competent authority where he intends to reside, and must observe certain rules and restrictions imposed in conformity with the law. The equivalent of such surveillance in England is contained in the Prevention of Crime Act. In India released convicts are subjected to a system of surveillance, which unfortunately rests on no legislative basis.

* The Spanish Code, which also has the reprimand among its punishments, distinguishes between the public reprimand in open court (*reprehen-pcion publica*) and the private (*reprehen-pcion privada*) in camera.

† In England an accused may be bound over to come up for judgment when called upon, and the recent First Offenders Act is an extension of the same principle. Some such provisions are called for in India.

Arts. 29 and 30 deal with the latitude left to the Judge in the application of punishment. *Pœna est æstimatio delicti*, says Papinian, and the Italian legislator has decided that the estimation must be to a certain extent that of the legislator, with a view to avoid monstrously severe as well as ridiculously inadequate sentences. The Code rejects the opinion of Mittermaier, who advocates the extension of the discretion of the Judge, and follows the restrictive views of Feuerbach and Lipmann, who think the Judiciary encroach too much on the province of the legislature; so that, in the fixation of punishment, the Italian Courts now enjoy less latitude than those of France.

TITLE III.—THE CONSEQUENCES AND EXECUTION OF PENAL SENTENCES. (ARTS. 31-43.)

Sentences of *ergastolo*, or of reclusion exceeding five years, carry with them the perpetual interdiction of public functions; a sentence of reclusion exceeding three years involves such interdiction for a period equal to the sentence. Such consequences are based on the *capitis diminutio* of the Roman law. *Ergastolo* also deprives of the *patria potestas* and the marital power, while such deprivation *may* be ordered in the case of reclusion exceeding five years. *Ergastolo* has a further consequence, the propriety of which has been attacked, as imperilling the right of property, namely, deprivation of the power to make a will, and it even renders void the will made before conviction. On the one hand, it is said that to give a sentence the effect of civil death punishes others than those whom it is desired to punish; while others urge the danger of allowing a notorious criminal to will away his property as he pleases.

A conviction for the abusive exercise of any public function, profession, or trade for which a delegation or permission is necessary, involves temporary loss or suspension of such function or profession for a period equal to the duration of imprisonment (substantive or in default of payment of fine). As regards other professions and trades, the law declares when a conviction involves the suspension of their exercise.

On conviction, the Judge *may* order the confiscation of things used or intended to be used in the commission of the offence, or which are the product of the offence, unless they belong to others who have no connection with the offence; but confiscation *must* be ordered, even if there is no conviction and the things do not belong to the accused, when they are articles of which the manufacture, use, carrying, possession or sale constitutes a breach of the law.* Such special confiscation, is prescribed by almost all the Codes of Europe.†

* In India, on a conviction for libel, sale of obscene books, etc., the Court may order the destruction of all the copies of the thing in respect of which the conviction was had. The Court may also order the destruction of the food, drink, drug, or medical preparation in respect of which a conviction has been had under sections 272-275 Penal Code. C.P.C. 521.

† Germ. P. C., 40; Belgium, 42, 43; Hungary, 61; Holland, 33, 34.

A criminal conviction does not prejudice the right of the injured party to restitution or pecuniary reparation. Compensation may be given in the case of offences which affect the honour of the individual or the family, even when no tangible damage has been caused. The accused, if convicted, is bound to pay the costs of the case.

The imprisonment undergone during the trial and before conviction* is deducted from the total imprisonment imposed. If the punishment be *confinement* only, one day's imprisonment is counted as equivalent to three days' confinement. The French, German, Danish, Hungarian, Dutch and Russian Codes allow such deduction, without making it obligatory. Some criminalists say it should only be deducted if the under-trial detention is unnecessary. But such a rule seems vague.† The *Partidas* of Spain have carried the principle to an exaggerated length in ordaining that, if an accused under trial be detained for two years without sentence being pronounced, he must be acquitted. Such a provision must be the outcome of intolerable delays in the administration of justice, and is probably intended to act as a check on such delays.

A sentence of *ergastolo* is printed and fixed up in the commune in which it has been pronounced, in that where the offence was committed, and in that where the convicted person last resided.

TITLE IV.—CRIMINAL LIABILITY, AND THE CAUSES WHICH EXCLUDE OR DIMINISH IT. (ARTS. 44-60.)

The exclusion or diminution of criminality, that is, criminal responsibility, is, perhaps, the most important department of penal law. The Italian legislator, while steering clear of the rock of indiscriminate liability, has given no less wide a berth to the extravagant conclusions of the school of criminal anthropology. Doctors are, no doubt, extremely useful for the diagnosis of the mental state, but the above-mentioned school would adopt the dangerous practice of making them sole arbiters in such matters. Certain it is that the acceptance of their shibboleths, such as "impulsion of disease" and "irresistible force," would result in altogether sapping away the foundations of criminal justice, and would threaten the very existence of society. The Italian legislator discards the thesis of "irresistible force," and takes its stand on a lofty principle, which defies theories and the scalpel, namely, that *a man's conscience*

* *La détention préventive*: Anglo-Indian *hajut*: In India, as a matter of fact and practice, the period of detention in *hajut* is always taken into consideration in passing sentence.

† In India all offences are classed as bailable or non-bailable: if non-bailable, the accused *must* remain in *hajut*.

gives him responsibility. In the present Title are carefully defined the exceptions to, or modifications of, this principle.

"Nothing is an offence which is done by a person who, at the time of doing it, was in such a state of mental infirmity as to deprive him of conscience, or of the control of his acts, or liberty of action." But the Judge can send him before a competent authority to be looked after. If the state of mind is such as to materially lessen the responsibility, without taking it away, the punishment is diminished in accordance with fixed rules. The wisdom of introducing a sort of intermediate state of semi-responsibility, very difficult to determine, has been questioned, especially as considerable latitude is given to the Judiciary by the doctrine of extenuating circumstances, incorporated in Art. 59 of the Code.

The above provisions are made applicable to accidental drunkenness. If the drunkenness be voluntary, the punishment is reduced, such reduction, however, being less if the drunkenness is habitual. But there can be no diminution of punishment if the drunkenness has been brought about in order to facilitate the commission of the offence, or to serve as an excuse. The old maxims, such as "*qui peccat ebrius, luat sobrius*," have been discarded, and the tendency of modern jurisprudence is to consider drunkenness as a mitigating circumstance.

Nothing is an offence which is done by any person in obedience to the law or an obligatory order of authority, or in self-defence against actual and unjust violence, or to save himself or any other person from a serious and imminent danger, provided such danger was not the result of his own act, and could not be otherwise avoided. If the limits prescribed by the law, authority, or necessity are exceeded, he becomes liable to a reduced punishment. The punishment is also reduced, when the offence has been committed under the spur of anger or intense pain, caused by unjust provocation.

If an offence affects, not the person against whom it was directed, but an accidental victim, the punishment is determined in accordance with what was intended.

AGE.

Nothing is an offence which is done by a person under nine years of age; that is, there can be no penal prosecution; but when the act constitutes a serious offence, the minor may be sent to an establishment of education and correction until he attains the age of majority. Above fourteen years of age, the question of discernment does not arise; but from fourteen to eighteen the punishment is sensibly diminished, while it is very slightly diminished from eighteen to twenty-one, at which age full responsibility is incurred. The deaf mute is considered to be

a minor till twenty-four years of age, and, even after that age, the question of discernment can be examined.

The Italian rules seem to be too rigid, and perhaps do not seem to take sufficient account of premature precocity—*sæpe malitia supplet ætatem*. It is curious to note that the great divergence of laws on the subject of age responsibility seems to bear no relation to climate; in frigid Sweden, one is a major at fifteen, but in Spain at eighteen. The age of criminal irresponsibility (*doli incapax*) ceases in India, as in England, at seven; in Spain it ceases at nine; in Denmark, Holland, Sweden, Portugal and Geneva at ten; in Germany, Hungary, and certain Swiss cantons at twelve. In France and Belgium there is no absolute irresponsibility, the discernment being a question of fact in each case.

Besides the diminutions of punishment prescribed by law, all punishments must be reduced by one-sixth, whenever extenuating circumstances are found in favor of the accused. A serious attempt was made to define what should be considered to be extenuating circumstances, but the task proved to be impracticable.

As regards contraventions committed by persons who are subject to the authority, guardianship, or supervision of others, the latter are also liable to the punishment prescribed when such contraventions infringe rules or orders which the person in authority was bound to observe, and which could have been prevented by the exercise of due diligence on his part.

TITLE V.—ATTEMPTS (ARTS. 61-62.)

"He who, with the object of committing an offence, commences it with means suitable for its perpetration, but, from circumstances independent of his own will, does not accomplish all that is necessary to complete the offence, is punishable with from one-half to two-thirds of the punishment provided for the offence. If he does all that is necessary for the completion of the offence, but the offence does not actually result, owing to circumstances independent of his will, the punishment is diminished by only one-sixth to one-third."

It will be seen that the Code distinguishes between the attempt commenced, the attempt which fails only for want of means,* and the completed attempt (*conatus perfectus*). A wants to poison P, but by mistake puts sugar in his glass, instead of arsenic; or he strikes at what he believes to be B's body, but what is really only a block of wood. In both these cases the consummation of the offence is impossible. Suppose

* *Il delitto mancato: le méfait manqué*. Without finess of mean, in other words, if the offence is impossible, there is no penalty. The French Code is now isolated in punishing equally all three sorts of attempts.

he puts arsenic in the glass, but not enough to kill. Here he has not done all that is necessary to complete the offence, and the punishment is only one-half to two-thirds of that provided for the offence. Suppose he puts in enough arsenic to kill, but B discovers it in time, and does not drink it, here the offence does not result owing to circumstances independent of his will, but he has done all that is necessary for its completion.

In this case the punishment is reduced by only one-sixth to one-third.

The German doctrine looks at the *result produced*. The French legislator says, "never mind the result; if a certain result would have taken place, but for circumstances beyond the control of the author, the latter is punishable as if the result had taken place." Both the illustrations under Section 511 of the Indian Penal Code refer to what jurists call impossible offences. One is as follows:—

"A makes an attempt to pick the pocket of Z by thrusting his hand into Z's pocket. A fails in the attempt in consequence of Z having nothing in his pocket. A is guilty of an attempt."

Now this illustration is nothing more or less than the English case of *Reg v. Collins*,* in which it was ruled that, the pocket being empty, there could be no conviction of an attempt to steal. In what more emphatic way could the framers of the Indian Penal Code have manifested their intention of making the Indian radically different from the English law? And yet such intention has been disregarded, as other Indian decided cases show. The English case-law is, as often happens, inconsistent. In 1846, it having been made punishable by 7 Will., iv, and 1 Vic., c. 85, s. 6, "unlawfully to use any instrument with intent to procure the miscarriage of a woman," a man was held to be guilty, though the evidence showed affirmatively that the woman supposed to be pregnant was not so in fact. The acutest understanding, says Bishop, could not reconcile this with the pocket-picking case. Bishop's exposition of the law of attempts deserves to be quoted as a master-piece of conciseness and common sense. "An attempt is an intent to do a particular thing which the law, either common or statutory, has declared to be a crime, coupled with an act *toward the doing*, sufficient, both in *magnitude and proximity* to the act intended, to be taken cognizance of by the law, which *de minimis non curat*." In the words of the Hungarian legislator, the Court must see whether there has been only a simple and somewhat remote act of preparation, or a veritable commencement of execution.

* L. and C., 471; 9 Cox., P. C. 497.

**TITLE VI.—THE COMBINATION OF SEVERAL PERSONS
IN A SINGLE ACT. (ARTS. 63-66).**

This Title deals with the English doctrine of *principal* and *accessory*, the abetment of the Indian Penal Code.

Most laws have only two classes, (1) doers and co-doers, and (2) accomplices. The Italian law, adopting the doctrine of Carrara, has three categories:—

1. Doers, co-doers or immediate co-operators.
2. Principal instigators.
3. Accomplices or abettors.

The immediate co-operators are liable to the full punishment prescribed for the offence. So also is the principal instigator, sometimes called the *intellectual doer*, who has been detached from the category of accomplices. But when the doer has committed the offence from personal motives, the principal instigator is liable to reclusion only, in lieu of *ergastolo*, while other punishments are reduced by a sixth.

Aiders and abettors (the third category) are those who (1) excite or strengthen the resolve to commit, even by a promise of assistance after the perpetration, (2) give instructions, or provide the means for the commission of the offence, or (3) facilitate the execution by assistance, before or during the perpetration. They are liable to only half the punishment provided for the offence, but such diminution is not applicable, if the commission of the offence would have been impossible without their co operation.

When the perpetration of an offence in which several persons have joined, has been facilitated by those circumstances or inherent qualities in one of the doers on account of which punishment is enhanced, all are equally liable, if they had knowledge of the existence of such circumstances or qualities, but the punishment is reduced by one-sixth. Such circumstances or qualities are those which concern the will, the mental state, age, natural, legitimate, or contractual relations between the offender and the victim, and recidivism. The material circumstances which enhance punishment, even when they involve an alteration in the kind of offence, are equally applicable to those who had knowledge of their existence at the time they lent their assistance. Material circumstances have reference to acts of preparation, execution and consummation. Such circumstances are, in principle, communicable to those who have knowledge of them; but inherent qualities are incommunicable. However, the Italian Code lays it down that, *if they facilitate the offence*, they are applied to all who had knowledge of their existence. Some jurists would go further, and think that knowledge of their existence is sufficient to impose the same liability on the other co-

operators. *whether they serve to facilitate the offence or not.* The *Lex Pompeia de parricidiis* made the accomplices of the parricide liable to the same punishment as the parricide himself; and whether the son delivers, or not, the key of the room in which the father is to be assassinated, it seems right that the aggravation should extend to the accomplices who know of the relationship. Circumstances, or qualities, which diminish or exclude the liability of the accomplice, such as minority or madness, do not benefit the other accomplices.

Assistance rendered after the offence (*favoreggiamento*) used to be confused by ancient schools with complicity; but the Italian law properly makes it a distinct offence.

TITLE VII.—THE CUMULATION OF OFFENCES AND PUNISHMENTS (ARTS. 67-79)

The Italian law, rejecting alike the system of absorption, which involves impunity for certain offences, and the system of material cumulation, which goes to the opposite extreme, adopts what is known as the juridical, intellectual, or moral cumulation, and modifies, according to consequences, the maxim *tot pœnæ quot delicta*.

If a person commits several offences, punishable with the same kind of punishment, the punishment for the most heinous offence is applied, with an addition of half the total duration of the other punishments. If the kinds of punishment differ, the addition is only one-third. But the punishments of temporary interdiction of functions are integrally or cumulatively applied, provided that the total does not exceed ten years of interdiction and four years of suspension. Pecuniary punishments are always integrally applied, provided they do not exceed in all 15,000 lira for delicts and 3,000 lira for contraventions. The total imprisonment in default of payment of fines cannot exceed eighteen months.

If a single act constitutes several offences, the punishment is that prescribed for the most grave offence.

TITLE VIII.—RECIDIVISM (ARTS. 80-84.)

A man who has been previously convicted may again commit the same offence, or an offence of the same kind, or he may commit a different offence. The enhancement of punishment for the second offence in the former case is known in the science of criminal jurisprudence as *special recidivism*, in the latter case as *general recidivism*. General recidivism is adopted by the French and Belgian Codes, but most codes require that the second offence should be identical with the first, or of a similar nature, or of the same class, as coming under the same chapter of the code. The Italian Code, following the doctrines of Carrara, adopts as a criterion "the

identity of guilty impulsion or motive in the first and subsequent offences." The phrase is a happy one, but the application of the principle is extremely difficult in practice.

The Italian Code, while adopting the principle of special recidivism, gives a wide interpretation to "offences of the same kind." These include not only all offences which fall under any one chapter of the Code, but also the following classes:—

1. Offences against the safety of the State.
2. Offences by public servants.
3. Offences against political and religious liberty, and all offences against the public administration or public order.
4. Slander, false evidence and prevarication.
5. Offences against public security.
6. Offences against morality and the peace of families.
7. Homicide and violence against the person.
8. Theft, robbery, extortion, cheating and other frauds.

Perhaps there are too many classes, it being difficult to recognize identity of impulsion in some of them. On the other hand feelings like revenge, which notably realise the identity of motive, may lead to the most divergent offences. Moreover, human perversity is not less formidable when it reveals itself in different forms. It often happens that murderers have previously committed the most diverse offences. Fortunately the Italian Code has adopted the principle of general recidivism also *quoad* grave offences. An offender is considered a recidivist if the punishment previously undergone exceeded five years, no matter what the offence was. The enhanced punishment on a subsequent conviction varies from a sixth to one-half in different cases. In all cases it is necessary that the second offence should be committed within ten years from the expiry of the previous sentence. There is the same limitation in Germany, Spain (for crimes), Portugal, Hungary and Denmark; it is five years in Holland and Spain (for delicts); while there is no limitation in England and India. In France and Belgium an offender is not considered a recidivist if more than three years have elapsed since his release from prison.

The enhanced punishment is obligatory, as in the Codes of France, Hungary, Germany, and Portugal. In Holland, Belgium, and India it is at the discretion of the Court.

TITLE IX.—THE EXTINCTION OF PROSECUTIONS AND PENAL SENTENCES (ARTS. 85—103).

The following causes of extinction are common to prosecutions and convictions; death, amnesty (which, however, does

not affect the civil action), general and special pardon, remission or release (which emanates from the injured party in cases in which there can be no prosecution without his complaint), and prescription. Though the death of the convicted person stops the realization of fine, it does not prevent an order of confiscation from being carried out. The French, Hungarian, and Indian Codes allow the realization of fines from the heirs of condemned persons.

Unless specially mentioned in the decree, a pardon does not make to cease the deprivation of public functions, or suspension of the exercise of a profession or trade, or police surveillance.

As regards prescription, there is prescription of the prosecution, and also of the punishment itself. Prosecution is barred by the lapse of twenty, fifteen, ten, five, two years or two months according to the cases mentioned. But the course of prescription is interrupted by any sentence of conviction, even a sentence by default, and also by any process of justice directed against the accused. The interrupted prescription begins to run again from the day of the interruption, but the periods of limitation mentioned above cannot be prolonged by more than one-half of the term laid down in each case.

The prescription of punishments (except *ergastolo*) is completed on the expiry of thirty, twenty, ten, four years, and eighteen months. The punishment of *ergastolo* is made imprescriptible, and the object of this was to add a new and special rigour to the punishment, which was destined to take the place of capital punishment. In Russia convictions for offences against the State and for parricide are imprescriptible.

Rehabilitation, which may be compared to the *restitutio in integrum* of the Roman law, is the crown and indispensable complement of a wise penal system. The grant of rehabilitation is ruled by Arts. 834—847 of the Italian Code of Criminal Procedure. It puts an end to the perpetual interdiction of public functions and every other perpetual incapacity, and it may be demanded by the condemned person on the expiry of five years from the day on which the punishment was completely undergone, or the sentence extinguished. This time is doubled in the case of recidivists. The Belgian Code has substituted rehabilitation by pardon of the executive (*réhabilitation gracieuse*) for judicial rehabilitation.

Art. 301 contains a curious provision, which enables an accused, in the case of contraventions punishable with a fine not exceeding 300 lira, to stop the prosecution by paying in before the commencement of the trial a sum equal to the maximum of the fine prescribed for the contravention committed, in addition to costs. "This voluntary satisfaction given to justice has the effect of preventing any *record* of the matter, and therefore

saves the *stigma of a conviction*. This provision would be very much welcomed by natives of position, who may have infringed municipal and conservancy bye-laws in the Municipalities of India.

The extinction of the prosecution does not prejudice the civil action *quoad* restitution and compensation for injury.

BOOK II.

DIFFERENT KINDS OF OFFENCES.

The First Part of the Code having laid down the general principles affecting criminality, the Second Part proceeds to deal with specific offences and contraventions. The Second Book relates to Delicts or offences, and the Third Book to contraventions. Offences are divided into ten classes:—

I.—OFFENCES AGAINST THE SAFETY OF THE STATE (104—138).

Offences against the safety of the State are sub-divided into offences against the country, offences against the Powers of the State, and offences against Foreign States, their chiefs and representatives.

A noticeable feature in this part of the Code is the frequent avoidance of definitions, in striking contrast to the Indian Penal Code. A remarkable instance of this want of precision is the very first section (Art. 104) which enacts that “whoever commits an act *tending to* subject the State or any part of it to foreign domination, or even to lessen its independence or alter its unity, is punishable with *ergastolo* ;” whereas the next following section prescribes fifteen years’ reclusion only for the man who actually carries arms against the State.

The revelation of political or military secrets affecting the safety of the State is punishable, though of course more lightly, even when the divulcation is due to the *negligence or imprudence* only of those who, by reason of their office, are in possession of such secrets, documents or plans. Art. 116 punishes with fine from 100 to 3,000 lira the citizen who accepts honorific distinctions, pensions or other advantages from a State at war with Italy. A provision which appears to be intended to preserve the monarchy is Art. 125, which makes it punishable with a year’s detention and fine to attach to the king blame or responsibility for the acts of his Government. Art. 126 is a little startling to British ideas of free speech and agitation, for it makes it punishable with six months’ detention, or fine, to publicly vilify the constitutional institutions of the State. Small wonder that there are a good many political prisoners in the jails of Italy ! The speeches made in Hyde Park against the House of Lords would, in Southern Italy at any rate be deemed a revolution. •

It is worthy of note that the provisions of the law of the 13th May 1871, regarding attacks on the person of the Pope, have not been incorporated in the Penal Code.

Arts. 128—130 satisfy the demands of international duty. The Code of Germany has inspired the provision which makes it an offence to destroy or damage in a public place the flag or other emblem of a Foreign State. But there can be no prosecution for this offence except on the complaint of the State concerned.

II.—OFFENCES AGAINST LIBERTY.—(139-167.)

Under this head the Code deals with offences against the following kinds of liberty : political liberty, the liberty of religion, individual liberty, the inviolability of the domicile, the inviolability of secrets, and the liberty of work. The aim of the legislator is to prevent any interference with the exercise of any right.

There seems to be foundation for the allegation that the Code has to a great extent broken the power of the priests. One of the objects of its framers was to suppress political discourses in the pulpit. The writer was in Italy just after the Code had come into operation, and frequently attended the courts. It was the general impression that the Code was very severe, perhaps too severe, against the priesthood. As regards offences against religion, it is noteworthy that the mere outrage against *religion* is not punishable ; what is punished is the insult to a particular person, prevention of the exercise of a particular ceremony, destruction of objects destined for worship, and the like. In this respect the Code has completely broken away from the traditions of the Sub-Alpine and Tuscan Codes, and it is apparently now no offence to indulge in gross abuse of a particular religion. This seems to be a defect, as the moral force which flows from religion is one of the foundations of social order.

As regards the inviolability of a person's house, the wording of the law is intentionally wide, and forms a contrast to the somewhat narrow definition of 'criminal trespass' in the Indian Penal Code, which requires proof of some criminal intent. The Italian provision is far more in accord with Indian feeling, which guards with jealousy the sanctity of the marital or family dwelling. Art. 157 punishes any person who arbitrarily enters or remains in the house of another, in spite of the prohibition of the person, who has a right to prevent him, or even enters or remains there clandestinely, or by deceit.

The provisions regarding the inviolability of secrets are mainly intended to protect epistolary or telegraphic correspondence. The mere opening of a letter not addressed to one, is punishable ; and the punishment is heavier (a month to three

years' reclusion and fine) if damage is caused by divulging the contents of the correspondence. Where no damage has been caused, there can be no prosecution, except on the complaint of the person aggrieved.

Some codes, for instance, the Dutch Code, give absolute protection to professional secrets, that is, those confided to doctors, advocates, priests, &c. But the Italian Code only punishes revelation when it can cause damage, and is *without just cause*. In France revelation is prohibited, except in those cases in which the law imposes an obligation to give information. To this exception the Belgian Code (Art. 458) adds those cases "in which persons are summoned to testify in a court of justice."

Offences against the liberty of work generally come under the category of offences against commerce. Combinations and strikes are not unlawful. All that is made penal is the use of threats or violence with a view to prevent the continuation of work. This is the law in England, though it is not strictly enforced.

III.—OFFENCES AGAINST THE PUBLIC ADMINISTRATION—(168-209).

This part deals with offences by public servants, embezzlement, bribery, corruption, and abuse of authority; abuse by priests of their functions; the usurpation of public functions, titles, or honours; violence and resistance to authority; offences against public servants; breach of contract, and fraud in State contracts, &c.

Art. 183 has been considered to be unduly harsh on ministers of religion. It punishes with detention from three months to two years, fine, and temporary or perpetual deprivation of ecclesiastical benefices, the clergyman who, in the exercise of his calling, excites contempt of existing institutions, laws or orders, or induces disobedience to such laws. S. Zanardelli, discussing this section in his report to the king, scouts the idea of there being any danger of arbitrary acts and persecutions, and says that "the good priests in whom Italy happily abounds, may live assured that, in the performance of the duties inherent in their ministry, they will encounter no obstacle in the penal law. This law must be regarded solely as a check against those evil actions which heretofore both the civil law and divine precepts and the holy traditions of Christianity must have prohibited." Probably the section has been mainly aimed at the priests of Southern Italy, many of whom are drawn from the dregs of the population.

In the matter of resistance to the acts of public servants, the Italian Code has endeavoured to effect a sort of compromise between the doctrine of passive obedience and the doc-

trine followed by England, Germany and Holland, of the impunity of resistance to illegal acts. The Italian Code gives impunity where the act has been provoked by the public officer exceeding by arbitrary acts the limits of his powers. The Indian Penal Code does not allow the right of private defence against the acts of public officers, if they *in good faith** believe themselves to be acting legally. The Italian magistrates, in their reports on this part of the Code, pointed out the extreme danger of allowing private citizens to constitute themselves judges of the legality or otherwise of the acts of public servants. This danger must be even greater in a country like India, and yet the High Court of Calcutta have introduced the English doctrine, though the framers of the Indian Code deliberately refused to follow it.†

The definition of "public officers" is worthy of note. It includes all who are invested with public functions, whether *they receive pay or not*, in the service of the State, a province, a commune, or any institution placed by law under State, Provincial, or communal management. In India, there are numbers of unpaid apprentices or assistants in the Government offices, learning the work, and having a preferential claim to appointments falling vacant. They have some responsible duties to perform, and are entrusted with valuable documents to copy, &c. It is, of course, necessary that they should be under the obligations of public servants, but whether they are public servants or not, has not been authoritatively decided.‡

Breach of contract to provide stores or other necessary things for any public service, or for rendering assistance in a public calamity, is punishable with from six months to three years' reclusion and fine. If the breach is due to negligence only, the maximum punishment is a year's detention. Fraud as regards the nature, quality, or quantity of the things supplied is more heavily punished. There is a special law dealing with breach of contract to provide stores, &c., for the army and navy. Such provisions are to be found in almost all the Continental codes. The Indian Penal Code punishes certain breaches of contracts *of service*, when the offenders are too poor to get any monetary compensation from, and the breach itself is likely to cause irreparable damage, serious injury to

* Nothing is said to be done 'in good faith,' which is done without due care and attention. I. P. C., 52.

† See Sec. 95, Indian Penal Code.

‡ The point came before the Allahabad High Court. 1 L. R. 8 All, 201. Straight, J. said: "If such a contention were allowed, and the question whether a man was a public servant were to depend wholly upon the test of his receiving or not receiving a salary, very great mischief and difficulty might arise in a country like this, where numerous persons are engaged in the performance of public duties without pay."

the person, or even death. The framers of the Code remark: "It is often necessary for travellers of the upper classes, even for English ladies, ignorant, perhaps, of the native languages, and with young children at their breasts, to perform journeys of many miles over uninhabited wastes, and through jungles in which it is dangerous to linger for a moment, in palanquins borne by persons of the lowest class." The Penal Code of Russia, too, prescribes rigorous penalties, not only against professional guides who run away and leave travellers, but also against private persons who abandon their comrades under circumstances in which the abandonment may have fatal consequences for the latter. The writer believes that the only Statute which punishes breaches of contract, pure and simple, is 38 and 39 Vict, c. 86, secs., 4, 5. This law punishes *wilful and malicious* breaches of contract to supply gas or water, or similar breaches of any contract of service, knowing, or having reason to believe, that the probable consequence will be to endanger human life, or cause serious bodily injury, or expose valuable property to destruction or serious injury. There are other apparent breaches of contract,* but they are really breaches of duty imposed by law in consequence of the contract.

IV.—OFFENCES AGAINST THE ADMINISTRATION OF JUSTICE. (210-245).

Under this head the Code deals with the following offences: refusal to perform legal duties, false information, false charges, false evidence, dishonesty in conducting cases, harbouring, escape and rescue from lawful custody, arbitrary taking of the law into one's own hands, and duelling.

The provision regarding refusal to perform legal duties has for its object the removal of any obstacles to the elicitation of truth. It is aimed against witnesses, experts, interpreters, and jurors who try to get rid of their obligations. The Code of Criminal Procedure imposes duties of a somewhat exceptional nature on medical experts. Experts are liable to the additional punishment of being temporarily suspended from the exercise of their trade or profession.

It is punishable with a reclusion, which may extend to thirty months, to falsely inform a public officer that an offence has been committed, or to fabricate the *indicia* of some offence, so as to render an inquiry possible. The same punishment is prescribed for a false declaration of having committed an offence, unless the object of the declaration be to save a near relative. This latter offence, known as *falsa confessio*, is not punishable by some codes. As regards the former offence,

* Ex. Gr. See Stephen's Dig., Art. 394.

It was held by the Calcutta High Court that a false information, *where no person is named*, is not punishable by Sec. 182 of the Indian Penal Code. This interpretation was so diametrically opposed to the clear wording of the section, that the Indian Legislature have recently passed an Act (X of 1895) with a view to nullify it.* The man who personates another, and undergoes a sentence of imprisonment imposed on the latter, would appear not to be punishable in Italy.†

Under the head of false charges, there is a noteworthy provision, by which the punishment is reduced by two-thirds if the false informant withdraws his charge or records his fabrication of facts before the law is actually put in motion against the person falsely charged; and by one-third to one-half, if such withdrawal is made at a later date, but before the Court gives its decision. The project of the Austrian Code goes very far, and makes it an offence cognate to a false charge, not to inform an accused person of facts and proofs in his favour, of which one has knowledge.

False evidence is punishable with reclusion for one to thirty months, and temporary interdiction of public functions. The reclusion may extend to five years if the offence has been committed in order to harm an accused person. If the false evidence has brought about conviction and sentence to a punishment higher than reclusion, the period of reclusion is from ten to twenty years. False evidence is not punishable, if the witness, by speaking the truth, must have inevitably implicated himself, or have exposed a near relative to serious injury as regards his liberty or honour; or if, by reason of personal qualities declared to the judge, the deponent ought not to have been called as a witness, or ought to have been warned of his option to abstain from giving evidence. Nevertheless, the punishment is only diminished by one-half to two-thirds, if the false evidence exposes some third person to a criminal prosecution or sentence.

* Petheram, C. J., gave the ruling. It is but one of many instances in which ignorance of the country and the ways of the natives conduces to unfortunate decisions. The magistracy throughout India reported the lamentable effects the decision would have if not got rid of. In India a man often gives a false information with a view to get an enemy into trouble, or to injure some person. Common instances are making a hole in one's wall, and alleging the commission of house-breaking (to get the village watchman into trouble, or with a view to have some person's house searched by the police): information of theft with a view to defraud a creditor, &c. The police visit the village and hold an inquiry, and thus the public time is wasted, and somebody is harassed or put to inconvenience.

† Sec. 205 of the Indian Penal Code is as follows:—"Whoever falsely personates another, and in such assumed character makes any admission or statement, or confesses judgment, or causes any process to be issued, or becomes bail or security, or does any other act in any suit or criminal prosecution, is punishable with three years' imprisonment or fine."

There is a curious provision that, if the deposition is not on oath, the punishment is diminished by a sixth to a third. In India, the omission to administer an oath, whether intentional or unintentional, would not render a deposition inadmissible, nor would it prevent a conviction for giving false evidence. In Italy, the section in the Penal Code must be read with Art. 172 of the Code of Criminal Procedure, as amended by Art. 28 of the Regulating decree of the 1st December 1887, which provides that, except in certain specified cases, witnesses shall not be sworn. This appears to be a dangerous distinction, as the elucidation of the truth requires in all cases the same guarantees. The diminution of the punishment where no oath has been taken, is a sort of homage to the sanctity of the oath.

If the false statement is retracted, and the truth made known before the termination of the preliminary inquiry, there can be no prosecution; if the retraction takes place at a later date, but before the final sentence or verdict, the punishment is reduced by a third to a half. The French and Belgian Codes are silent as to retraction, but jurists appear to be agreed that false evidence should not be punished if it is retracted before the end of the trial. The punishment is always diminished if the offender be the defendant or one of his near relatives. False evidence in civil suits is punishable less heavily than false evidence in criminal prosecutions. The reader may be astonished to learn that some jurists in Italy were opposed to the punishment of perjury when committed in a civil suit only, on the ground that the offence will be punished *in foro cali*, and that such perjury causes private injury only. This and other peculiarities cause one to think that Italian Magistrates would possibly have had more sympathy for the failings of the natives in India, where perjury is so prevalent, and so little reprobated.

The advocate who colludes with the opposite party, and thereby harms his client, is punishable with from one to thirty months' reclusion, fine, and temporary suspension from the exercise of his profession. It is also an offence to appear first for one party and then for the opposite party *in the same matter*. The words underlined are not defined. If the same matter includes cases between the same parties arising out of the same dispute or subject-matter, and this is the only reasonable interpretation, then this offence is notoriously and frequently committed by pleaders and mukhtars in India. In a confidential capacity, they get access to facts and documents, and subsequently appear for the opposite party, and make use of them.

Harbouring or subsequent assistance (*favoreggiamento*) refers

to aid rendered to the offender, and causing evidence to disappear after the completion of the offence. Near relatives of the person harboured are exempt from punishment. This exemption is very wide. The Indian Code exempts only the husband and wife; in England only the wife is exempted, in New York neither. In France and Belgium brothers and sisters are exempted, as well as the husband and wife, and other relatives in the same degree. The German Code exempts relations without defining the term; in Holland the exemption is extended to relatives in a collateral line to the second or third degree; while the Penal Code of Hungary gives a long list of exempted relatives, and includes *engaged persons*. The Louisiana Penal Code adds *domestic servants* and the Chinese Penal Code includes slaves and hired servants. Family ties are very strong among the Hindus, and the provisions of the Continental codes are more in harmony with their feelings and ideas than the severity of the English law.

Escape by violence from legal custody is punishable with from three to eighteen months' detention; but the mere act of flight or absconding is not punishable, as in India, except in one case, and that is when the offender is a convicted person employed on extra-mural labour, and escapes from the place assigned for his work. There is no positive obligation to submit oneself to punishment; but merely a negative obligation not to escape it by prohibited means. In determining the punishment to be inflicted on public officers who negligently allow prisoners to escape, the gravity of the offence (in the case of under-trial prisoners), or the nature and duration of the punishment, are taken into consideration. Art. 231 is worthy of mention. It punishes the official who, without authority, permits a prisoner to leave the prison even temporarily.* If an escaped prisoner returns of his own accord to the prison, the punishment is diminished. If the prison official who is responsible for the escape, succeeds in procuring the recapture of the prisoner within three months from the date of escape, he is exempt from punishment. This seems to be a rational provision, and such tempering of reason and mercy with justice might with advantage be imitated in India, where such offences are generally punished with Draconian severity.

Taking the law into one's own hands, what the Romans called *jus sibi propria auctoritate redditum*, is nothing but

* This reminds one of the Bengali jailor who used to let a convicted gang of dacoits out of jail on dark nights, and share the plunder obtained by their dacoities. This clever trick baffled for a long time all efforts of the Police to get a clue. The writer has been informed that in Chandernagore prisoners are allowed, on payment of a certain sum, to go home at night to see their wives! also that in some petty native States, escapes are not much objected to, as the expense of feeding the prisoners is felt as a heavy burden!

contempt and defiance of the law. A *bond fide* claim of right should not be allowed to justify the use of threats and violence. The Italian Legislator has laid it down that the proof of the existence of the claimed right will not absolve altogether from liability, but will only diminish the punishment. This is a rule that might well be followed by Indian judges, who of late years have shown an undue tendency to acquit altogether when any claim of right is put forward. A premium is thus placed on violence, and the man who breaks the law gets an undue advantage, for private justice, when substituted for social justice, will always act with more rigour, approaching even to cruelty.

The preceding provisions constitute a good introduction to the last of the offences against the administration of justice, namely, duelling, which is a usurpation of the social power. The new Code punishes not only the duel, but the challenge also, though not followed by a duel, and those who convey the challenge, unless they prevent the actual encounter. It is also made penal to insult a person, or hold him up to public contempt, because he has refused to fight. The witnesses or seconds are punishable, unless before the duel they have done all in their power to reconcile the parties. It is no offence to challenge to a duel, when the challenge is the result of a gross insult; but the acceptor is punishable, if he is to blame for the challenge. The ordinary punishment is fine, or two months' detention only; but it is enhanced if hurt or grievous hurt is caused, and the duellist may be sentenced to five years if he kills his adversary. It is significant to note that the ordinary law is applied in certain cases of aggravation, for instance, if there has been fraud or violation of the conditions in the choice of arms or the combat, or if it is agreed, or is the necessary result of the kind of duel, or of the distance fixed, that one of the duellists must be killed.

In one of the projects which preceded that of S. Zanardelli, it was proposed to organise a *jury of honour*; but it was decided not to do any thing which would tend to deprive the act of its criminal character. For similar reasons, the proposal of the Commission of the Senate to impose a lesser punishment in the case of military officers, was not accepted. Such a concession would have destroyed the juridical basis on which the law rests.

OFFENCES AGAINST THE PUBLIC ORDER. (246-255.)

These offences comprise abetment, unlawful association, incitement to civil war, and public intimidation.

It is curious that the Italian Code, in common with most other Penal Codes, only punishes a *public* instigation to commit an

offence. It is now generally admitted that *private* abetment, even though the offence abetted be not committed, ought to be punishable, as it is in England, India, Belgium, Germany and Denmark. Like the Hungarian Code (Art. 174), the Italian Code punishes the *public* justification of an act which the law makes an offence, and the excitement of hatred among different classes of society, in a manner dangerous to the public tranquillity. "Publicly" is not defined, and so wide a phrase seems to confer too much discretion on the Judiciary. Such public justification of acts constituting offences used to be punishable in France, but has not been so since the 29th July, 1881.

The simple fact of the association of five or more persons for the commission of offences is made punishable. Five is the number required to constitute an "unlawful assembly" under the Indian Penal Code.

The commission of any act with the object of exciting civil war, or causing devastation, pillage, or massacre in any part of the Kingdom, is punishable with from three to fifteen years' reclusion, and, if the object is attained, ten to eighteen years. The letting off of bombs or explosives to cause public terror or public disorder is also heavily punishable.

OFFENCES AGAINST THE PUBLIC FAITH (CREDIT.) (256-299.)

Counterfeit coin, papers of public credit, seals and stamps, forgery of public documents, false passports, certificates and declarations, and fraud generally in commerce and industry, are punishable as offences against the public faith or credit. The punishment for counterfeiting coin is diminished by a sixth to a third if the counterfeit is easily recognizable. No difference is made between counterfeiting the national coin and the coin of a foreign State.

It is worthy of note that forgery of private documents is punishable only *if use is actually made of such document*. This condition or qualification is found in the German Code (267.) Art. 225 of the Hungarian Code requires that the forgery must have been committed "with the object of using the document or causing others to use it." But it is not found in most Codes.

Art. 282 is a provision which would commend itself to the Oriental mind. It prescribes a much diminished punishment if the forgery has been committed *as a means of proving true facts*.* If the forgery is of a private document, the maximum

* The writer once had before him a case in which three names were added on the margin of a bond as witnesses, the three original witnesses having died, and the holder of the bond wishing to sue on it. It was a stupid forgery, as the bond had been registered, and it could be at once detected by reference to the records of the Registry Office. In such a case, the Indian genius would think a prosecution harsh, being unable to appreciate the element of contempt of public officers and abuse of the machinery courts of justice.

punishment is reclusion for six months. In this and other matters, Italian ideas seem to harmonise more with the Oriental character.

As regards false certificates, the offence appears to be confined (except in the case of doctors, &c.), to public officers, or others, who have the legal power of giving certificates. Both the giver and user of such certificates are punishable with fifteen days' reclusion or fine, when the certificate certifies to good conduct, poverty, or is intended to procure public employment, or some favour, or exemption from public duties, services or charges. Doctors and Surgeons are punishable for giving false certificates, intending that some authority shall believe and act on them. Sec. 197 of the Indian Penal Code punishes only false certificates which are *required by law* to be given or signed, or relate to any fact of which the certificate is by law *admissible in evidence*. Bengal now swarms with native medical practitioners of sorts, and false certificates from such men that an accused person or a witness is too ill to attend Court are frequently produced before Magistrates.* Such certificates are not punishable in India,† but would be so on the Continent. The law in Holland on the subject is very comprehensive,‡ Art. 230 punishing with a year's imprisonment any person who fabricates or falsifies a certificate of good conduct, of capacity, of poverty, or other circumstances, with intent to use it, or that it may be used in order to obtain a situation, or to excite benevolence and obtain alms.

OFFENCES AGAINST PUBLIC SECURITY. (300—330.)

Offences against Public Security include arson, inundation, and other offences causing common peril; offences against the security of the means of transport or communication; and offences against public health and food.

* Arson and inundation are generally classed as offences against private property, but the Italian Code, in accordance with the opinion of Carmignani and Carrara, treats them as offences against public security; to the particular injury is,

* It is with a sort of deprecating air of hesitation, and hardly expecting to be believed, that Mukhtars hand these certificates up to an intelligent Hakim; while the Mukhtars for the opposite party express their opinion as to the value of the certificate by smiles of contempt and derisive comments such as "aj k i Doctor goli goli phirta," "now-a-days Doctors are to be found in every lane."

† Not as false certificates. But the act might come under Sec. 182, giving false information to a public servant, intending or knowing it to be likely that he will thereby cause such public servant to do or omit to do anything, which he ought not to do, or omit, if the true state of facts were known to him.

‡ Dutch P. C. 228-230.

in fact, added the general injury resulting from the alarm caused by the danger, the violation of the right of every individual to public tranquillity, and the possibility of more extensive private loss. The punishment is regulated according to the danger, the results, and the object aimed at.

Important offences relating to railways and telegraphs are incorporated in the Penal Code. All railways, worked by steam or other mechanical power, are placed on the same footing as regular railways, and telephones for any public service are assimilated to the telegraph. It is made an offence punishable with from three to thirty months' detention and fine, to *cause danger* of a railway accident by rashness, negligence, want of skill, or non-observance of rules and orders; the punishment is from two to ten years' detention, if an accident actually takes place.

As regards offences against the public health and food, the Italian legislator is especially severe against those who, by reason or want of skill in their profession or trade, or non-observance of rules and orders, spoil or adulterate food, drink or medicine, or who sell as pure alimentary substances which are not so, even though they be not deleterious to health. To produce scarcity, or a rise in the prices of food by false reports or any fraudulent means, is punished very heavily, from one to five years' reclusion, besides fine, and temporary disqualification for public functions.

OFFENCES AGAINST GOOD MORALS AND THE PEACE OF FAMILIES (331—363.)

Under the above title, the Code deals with carnal violence, the corruption of minors, and outrages against chastity, abduction, proxenetism, adultery, bigamy, fabrication (*supposizione*) and suppression of the civil state.

The Italian Code treats as carnal violence (*rape*) carnal intercourse with a person of either sex who is under twelve years of age, or who is under fifteen when the offender is such person's elder relative, guardian or teacher; or who is in confinement under the custody of the offender; or who, by reason of physical or mental malady, is not in a situation to resist. A special protection is thus accorded to prisoners and persons under the influence of somnambulism or hypnotism. As regards carnal intercourse with young girls, different laws present remarkable divergencies as to age,* but the true limit should everywhere be that age at which the civil law recognizes a girl as fit for marriage: twelve years in Italy, following the Roman law.

The Italian Code is silent on the subject of unnatural offences.

* Twelve in Spain, Portugal, Holland and Sweden; thirteen in France and England, fourteen in Germany, Belgium and Hungary.

The corruption, by means of acts of indecency, of minors under sixteen years of age, is punishable with reclusion, which may extend to thirty months; if the offence is committed with fraud, or by ascendants, guardians or teachers, the period of reclusion is from one to six years. This offence is reasonably distinguished from proxenetism (the Latin *lenocinium*), which is the instigation to corruption in order to gratify the passions of others.

It is somewhat remarkable that there can be no prosecution for rape, indecent assaults, and corruption, *except on the complaint* of the person aggrieved, and the limitation is one year from the date of the offence, or the date on which it has come to the knowledge of the person who has a right to complain in lieu of the injured party. Such restrictions are to be found only in the Codes of Portugal and the Canton of Zurich, and the practical result must be to give impunity to many offences of this character. The proper authorities, however, can institute a prosecution (apart from the wish of the injured person) in three cases :—

1. When the offence has caused the death of the victim, or is accompanied by some other offence punishable with a minimum imprisonment of thirty months.
2. When it is committed in a public place or a place accessible to the public.
3. When it is committed by an abuse of the *patria potestas* or the *auctoritas tutelaris*.

Unlike the French, Belgian, Dutch and Spanish Codes, the Italian Code punishes incest; but it is necessary that it should be committed in such a manner as to cause a *public scandal*. The offence of incest is also made punishable by the Codes of Germany, Austria, Hungary, Sweden, Denmark and Zurich.

Abduction is defined as the taking away or keeping, by means of violence, threats, or fraud, a woman of full age, for the purpose of illicit intercourse or marriage. The punishment is heavier if the woman is a minor or a married woman. The Code, in common with other codes, diminishes the punishment if the abduction is for the purpose of marriage; while, in some countries, the prosecution ceases if the abductor marries the girl he has abducted. There can be no prosecution except on complaint within a year from the date of the offence.

Proxenetism is the incitement of a minor to corruption in order to gratify the passions of others. Some Codes require that the incitement should be *habitual*, others that it should be *for gain*. In Italy these are merely grounds for enhanced punishment. The Austrian Code does not require either condition if the victim is chaste, or the offenders have authority over her. This latter exception is found also in the Codes

of Germany, Spain and Holland. There can be no prosecution except on complaint as above. Conviction entails the loss of right or authority over the persons against whom the offences have been committed.

There can be no punishment for carnal violence, corruption, or abduction, if the offender marries the victim before sentence is pronounced. If marriage is contracted after conviction, the execution of the sentence at once ceases.

As regards adultery, the man as well as the woman is punishable with from three to thirty months' detention. It is an offence for the husband to keep a concubine in the family residence, *or notoriously elsewhere*, the concubine also being punishable. The Spanish Code punishes the keeping of a concubine elsewhere *with scandal*. In France, Belgium, and Portugal, the husband is only punishable if he keeps a concubine in the conjugal house. But in Austria, Germany, Hungary, Holland and Sweden, the adultery of the husband is placed on almost the same footing as that of the wife.

There can be a prosecution only on the complaint of the husband or wife, and such prosecution must include the wife's accomplice or the concubine. It must be instituted within three months from the date when husband or wife came to know of the offence. The wife cannot be punished if the husband has kept a concubine in the conjugal house within the five years previous; nor can the husband be punished if he proves that the wife has committed adultery within the said period. Forgiveness, even after conviction, puts an end to the sentence, as also the death of the husband or wife.

The offence of bigamy is committed when a person, bound by a valid marriage, contracts another, or, being free, contracts marriage with a person validly married. Thus the Code resolves, in the sense of the necessity of a previous *valid* marriage, a question which has divided legislators. Some Codes punish the act of every new marriage before the preceding one has been dissolved or declared null. Suppression or fabrication of civil status is made punishable with five to ten years' reclusion; and to enter in the Registers of civil status a child who does not exist is made punishable in the same way.

In India only the man is punishable for adultery, but not the woman. The framers of the Penal Code remark: "To make laws for punishing the inconstancy of the wife, while the law admits the privilege of the husband to fill his zenana with women, is a course which we are most reluctant to adopt." The Chinese Penal Code punishes the adulteress, and along the frontiers of the Panjab,*

* Reg. I. 1872, Sec. 8, repealed and re-enacted in the Panjab Frontier Crimes Regulation, IV of 1887, Sec. 32. See also Sec. 7 of the Sindh Frontier Regulation.

inhabited by fierce and warlike races, the legislature have had to penalise the adultery of married women. The jealousy of the East arises not from love only, but from customs, manners, and social laws, and even from religion. The happiness and security of Hindu and Mahomedan marital life would be much enhanced, and there would be fewer crimes of violence and murders owing to the "*belli teterrima causa*" if proxenetism were made a criminal offence, as it is in most Continental Codes. The provisions of the English Criminal Law Amendment Act of 1885, of course, go too far, and they could never have been passed but for the frenzy of excitement aroused by the pseudo-revelations of the *Pall Mall Gazette*. The mischief aimed at in the laws of other countries is *habitual* proxenetism, or proxenetism *for gain*. Section 334 of the French Penal Code uses the word "habitually;" the German Code (180) uses the words "habitually, or for an interested motive;" the Louisiana Code "for gain;" the Dutch Code (250) "intentionally and for the purpose of gain;" the Danish Code (1882) "for payment," and so on. This is but one instance of the importance to [lawyers and] legislators of a knowledge of the criminal laws of other countries on the same subject-matter.

OFFENCES AGAINST THE PERSON (364—401).

Homicide is causing the death of any person with the intention to kill, and is punishable with from eighteen to twenty-one years' reclusion. The punishment is augmented to from twenty-two to twenty-four years' reclusion if the offence is committed on a close relative or a public officer by reason of his functions, or by means of any poisonous substance. In the case of certain aggravating circumstances, the punishment of *ergastolo* is applied; for instance, when the offence is committed with premeditation, or under the sole impulse of brutal wickedness, or by cruel treatment. The punishment is diminished when death is the consequence, not of the act only, but also of the concurrence of special circumstances, not known to the accused, or which have supervened in a manner independently of his will.

Infanticide is punishable with from three to twelve years' detention only when the child is killed within five days of its birth, and in order to *save the honour** of the offender or his wife's mother, daughter, grand-daughter, adopted daughter or sister. This lenience is shewn by modern legislations, as

* *Per salvare l'onore*. Perhaps the Spanish expression is better — *per ocultar su deshoura*. Several Codes inflict a lighter punishment when the child is illegitimate. Austria, 139; Germany, 217; Belgium, 396; Hungary, 284.

the offence is generally committed by the mother, on whom the civil law throws the whole burden of the birth of a child, while the seducer escapes scot free. Most codes require that the offence shall be committed "at the moment of birth, or immediately afterwards." The French Code simply speaks of "*enfant nouveau né*" while the Portuguese Code extends the time to eight days. In the case of abortion also and abandonment of children, the punishment is lessened if the offence is committed *honoris causa*.

The provisions regarding abandonment are worthy of notice. It is an offence to abandon a child under twelve, or any person incapable of taking care of himself. Art. 389 prescribes a punishment of fine for omitting to give immediate information to the authorities if one finds a child abandoned or lost, or any person who, by reason of mental or physical malady, is incapable of taking care of himself; and the same punishment is incurred for not rendering necessary assistance, or giving immediate information, if one finds a person wounded or in danger, or a human body which seems to be lifeless, provided that no danger is incurred in giving assistance,* &c. This provision would more appropriately come under the head of contraventions. It constitutes a remarkable extension of private obligation,† but the punishment is fine only.

Whoever, by abusing the means of correction or discipline, causes hurt or danger to the health of any person subjected to his authority, or confided to his care, for the exercise of some trade or profession, is punishable with a maximum detention of eighteen months. This is an embodiment of the principle *Patria potestas in pietate debet non in atrocitate consistere*. The English Draft Code recognizes the right of correction, and Art. 313 of the Hungarian Code declares that "it is not necessary to pronounce any punishment for slight hurt caused by a person exercising the right of domestic correction."

* See Art. 450 of the Penal Code of Holland.

† It is interesting to notice in this connection Art. 484 of the Louisiana Code, which enacts that "Homicide by omission only is committed by voluntarily permitting another to do an act (*e. g.*, a blind man to walk over a precipice) that must, in the natural course of things, cause his death, without apprising him of his danger, if the act be involuntary, or endeavouring to prevent it, if it be voluntary." Art. 450 of the Dutch Penal Code is as follows: "He who, seeing another person suddenly threatened with the danger of death, omits to give or furnish him with assistance which he can give or procure without any reasonable fear of danger for himself or others, is punished, if the death of the person in distress has resulted, with detention for three months and a fine of 30 florins." In Russia surgeons, doctors, and midwives are punishable with fine, if they are sent for by a sick person and do not go; if they know that the sick person or child is in danger, they are further punishable with from seven days' to three months' imprisonment.

Verbal slander is punishable, as well as written defamation (libel). The offender is not allowed to prove the truth or notoriety of the fact imputed, except when the person defamed is a public functionary, in respect of some official act, or a prosecution in respect of the fact imputed has been commenced against him, or the complainant formally demands that the truth or falsity of the fact imputed shall be inquired into. Some Codes admit proof of the truth under certain restrictions, for instance, "for honest motives and with a just end," "in the public interest or for a necessary defence," &c. There can be no prosecution for anything spoken or written in cases before the Courts, but the Judge may order the offensive portions to be expunged, and may award pecuniary reparation to the injured party. There can be no prosecution for libel or slander except on complaint, and the limitation is one year and three months, respectively.

X.—OFFENCES AGAINST PROPERTY (402—433.)

Offences against property include theft, robbery, extortion, capture for ransom, cheating, misappropriation, receipt of stolen property, usurpation of immoveable property, and mischief.

For theft a *taking away* is necessary, as in France and Belgium; a mere touching (*contractatio*) or moving is not sufficient, as in England and India. The German Code (242) does not adopt either theory, but makes theft depend on the taking of possession (*besitzergreifung*). Theft includes the taking, by heirs or co-proprietors, of things to which the succession has not yet devolved, or which are undivided or joint. The punishment is enhanced for a number of reasons, among others, when the theft is committed from the person by skill in a public place, or when the theft is on animals or crops, which must of necessity be left in the open fields, or of things which by custom, or by their position, are entrusted to the public faith.

Hiding a person, in order to get a ransom for his release, is punishable with from five to fifteen years' reclusion. To allege facts which do not exist, and thereby, for the sake of profit, to cause a citizen to emigrate, is punishable with from one to five years' reclusion. This is a common offence in India among the lower classes of coolie recruiters, but it is seldom adequately punished.

Breach of trust can only be punished on the complaint of the person injured.

Arts. 422 and 423 seem to be peculiarly applicable to India, and if they were in force there, would put an end to much violence and rioting about land. Art. 422 makes it punishable

with thirty months' reclusion and fine to appropriate, in whole or in part, the immoveables of another, or with the object of gain to remove or alter the boundaries thereof, or, with the object of securing undue advantage, to divert public or private waters. Art. 423 enacts that whoever, with the aid of violence against the person, disturbs another's peaceable possession of immoveable property, is punishable with a year's reclusion. The punishment is enhanced when the offence is committed by several armed persons, or by more than ten persons even unarmed. These are common offences in India, but there seems to be too great a tendency to regard them as exclusively matters for the Civil Court.

The noticeable features in connection with the offence of mischief are that it relates to immoveable as well as moveable property, and that there can be no prosecution except on the complaint of the person aggrieved. There can, however, be an official prosecution when the offence is committed out of revenge against a public officer for some official act, when it is committed by violence, or in respect of public buildings, embankments or signals, irrigation canals, vines or fruit trees. In these cases the maximum punishment is three years' reclusion, whereas, for simple mischief, it is six months. It is an offence punishable with fine, and on complaint only, to enter *arbitrarily* on land in the possession of another, when such land is surrounded by a ditch, a live hedge, or a substantial barrier.

The following provisions are applicable to all the offences under this head. If the thing taken or the damage caused is *very important*, the punishment can be enhanced by one half; if it is of *little value*, the punishment can be reduced by one half; if of *very little value*, the reduction can extend to one third. But recidivists do not get the advantage of such reductions. The restitution of the thing stolen or the complete reparation of the mischief done, before the case is sent for trial does not, as in the Austrian Code, give impunity, but it gives a reduction of punishment of one-third to two-thirds; if the restitution takes place during the inquiry, but before the trial, the reduction is from one-sixth to one-third. The Code of Turin grants impunity if the restitution takes place within twenty four hours of the commission of the offence, and before the authorities are aware of it.

With the exception of robbery, extortion, and ransom, there can be no prosecution for the above offences, when the person harmed is the husband, or wife, not legally separated, the father, the mother, a relation in the direct line of ascent or descent, the adoptive father, mother, or child, the brother or sister living jointly with the offender. If the relative be husband or wife legally separated, brother or sister not living jointly with

the offender, uncle, aunt, nephew or niece, or any relative of the second degree living with the offender, there can be a prosecution, but only on complaint, and the punishment is diminished by a third. This is another instance of the desire to respect and maintain the family spirit and sentiment, and some analogous provision would not be unsuitable to India.*

BOOK III.

THE DIFFERENT KINDS OF CONTRAVENTIONS.

Contraventions are classified under the four heads of public order, public security, public morality, and the public protection of property. Those connected with the *public order* deal with refusal to obey authority, omission to report, coin, printing and the sale of printed books, public performances and agencies, mendicity, disturbance of public or private tranquillity, and abuse of public credulity.

It is a contravention, punishable with fine, to refuse without just cause, to give assistance† on the occasion of a disturbance, a calamity, or flagrant offence, or even to refuse to furnish information demanded by a public officer in the exercise of his functions. This provision carries private obligations somewhat far. There is an even more onerous obligation imposed on doctors, surgeons, midwives and health officers, to inform judicial authority or the officers of public security, when they have given the assistance of their profession in cases *which seem to show that an offence against the person has been committed*.

It is forbidden to give any show or performance in a public place without authority, or to open any public agency, or to lodge any person without keeping the prescribed registers, or to beg when one is fit to work, or to disturb the occupations or the repose of citizens by noise, by the *abuse of bells* or other instruments, or even by the exercise of noisy trades.

Contraventions connected with *public security* include contraventions relating to arms and explosive substances, the omission to repair buildings,* throwing or leaving dangerous things in public places, the custody of lunatics, negligence in respect of savage animals, and generally negligence causing danger. It is worthy of note that if a building falls owing to the negli-

* Not only is no private complaint necessary in India, but the offences of theft, cheating, criminal breach of trust are *not compoundable*. The Magistrate may certainly permit the prosecutor not to offer evidence, but this is an awkward and *illegal* way of surmounting the difficulty, for it is virtually a composition, and the composition of non-compoundable offences is forbidden by law (Sec. 345 C. P. C.)

† The French law uses the words "being able to render assistance;" the German Code, which is more precise, adds the words "without exposing themselves to serious danger."

gence of the architect or builder, he is liable to fine, and may be suspended from the exercise of his trade or profession.

Contraventions relating to *public morality* include gambling in places open to the public, drunkenness, acts contrary to public decency, and cruelty towards animals. The Code does not only punish the keeper of the gambling-house, but makes liable to fine any person who is found gambling in a place open to the public. Games of hazard are defined as those in which the gain or loss depends entirely, or *almost entirely*, on chance.

Drunkenness, merely as a vice, is not punishable, but only when it offends public morality; that is to say, when a person is "found in a public place in a state of drunkenness which is manifest, or causes annoyance or disgust."* The French law requires that the drunkenness should be "manifest"; the Hungarian law that it should be "scandalous"; the Dutch law that it should be "evident"; the Swedish law that it should be "such as can be clearly seen from the behaviour of the accused or the confusion of his ideas."

By Art. 490 *any act* done in public which offends public decency, is punishable. Art. 491, dealing with cruelty towards animals includes subjecting them to "fatigue manifestly excessive." It also makes punishable those who, even with an exclusively scientific or didactic object, but outside the places set apart for teaching, subject animals to experiments which cause them pain. In this matter legislators have considered it necessary to act on the maxim "*Sævitia in bruta est tirocinium crudelitatis in homines.*"

Under the head of the *public protection of property*, the Code deals with the possession, not justified, of objects of value, omission to take precautions in the operations of commerce, the illicit sale of keys and locks and illicit opening of bolts, and the keeping of weights and measures different from those established by law. Any person who, having been convicted of these or other cognate offence, is found in possession of articles not corresponding to his condition in life, and which he cannot show that he has lawfully come by, is punishable with two months' simple imprisonment.† There is a similar pro-

* Sec. 510 of the Indian Penal Code is as follows:—"Whoever, in a state of intoxication, appears in any public place, or in any place which it is a trespass in him to enter, and there conducts himself in such a manner as to cause annoyance to any person, is punishable with twenty-four hours' simple imprisonment, or with fine up to ten rupees, or with both."

† This would be a most suitable provision for India, where there are regular thieving castes. These men are often found in possession of articles which are only to be found in the houses of rich men, but there can be no conviction for receiving stolen property unless the owner is known.

vision relating to the receivers of such articles. It is an offence to make keys or locks, unless the maker has satisfied himself that the place or the object belongs to the person giving the order.

In conclusion, if the codification of the English criminal law is to be undertaken during the present Parliament, it seems to the writer that many useful hints can be taken from the Penal Code of Italy. Statesmen and legislators should pick the brains of the best jurists of other countries, and extract from their Codes whatever they consider suitable for England and the English people.

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ART. VI.—ASSAMESE AND BENGALI.

WHEN Assam had not yet given a name to a Province, and, once a kingdom, was now only a Commissioner's division, when Sir George Campbell contentedly ruled an even huger Bengal than the Bengal of to-day, and had not found in the Assam Bengal Railway an excuse for getting rid of some of his millions of subjects, the question was raised whether Bengali text-books or Assamese text-books should be used in the primary schools of the Assam Valley. It is not a matter for much surprise that Sir George decided against the local speech. To him a speech which was the vernacular of considerably less than a couple of millions of people, must have seemed a dialect as unimportant, as little likely to attain to a separate literary existence, as the rustic idioms of Sylhet or Chittagong, or, for that matter, of his own native Highlands. The only argument which was then adduced in favour of the recognition of Assamese as a separate speech was that, though the vocabulary resembled that of Bengali, the language was a written language, and possessed a spelling, a literature, and, it was said, an inflexion and grammar of its own. To a Scotchman, keenly conscious of the advantage Scotchmen enjoy in sharing the language and government of their southern neighbours, the claim put forward on behalf of Assamese for separate recognition must have seemed to be largely sentimental and to be opposed to the true interests of Assam.

But when the Chief Commissionership of Assam was carved out of Eastern Bengal, the two millions or so of Assamese-speaking people formed part of a Province in which only about two millions spoke Bengali. Moreover, officers, who were themselves Assamese, or who were more or less versed in the local speech, found a readier hearing in Shillong than in Calcutta. Possibly, too, the Sibsagar missionaries, who were the first to print the Assamese speech, obtained a readier hearing. They had published a remarkable magazine, the now defunct *Arunoday*, illustrated with cuts copied roughly from the wood engravings of the *Illustrated London News* in days when process photographs were not thought of. They had printed some of the quaint Buranjis, the indigenous chronicles of the old Rajahs, medleys of history, fable and genealogy. And they taught Assamese as a living and a written language, learned by them at first hand, and without so much as a suspicion that it might only be a dialect and overflow into savage places of the tongue of the adjacent districts of Bengal.

By the time the Census Report of 1881 came to be written, the separate existence of Assamese had come to be an officially recognised fact. A Text Book Society had come into being, and held its meetings at Nowgong, as much a centre of the accepted speech of Assam as Nuddea is of typical and correct Bengali. The arguments in favour of the change of view were tersely stated in the Census Report, in a passage which deserves to be quoted as a whole. If it piles Pelion upon Ossa in the matter of proofs, that does not necessarily imply a sense of weakness in dialectic. To quote it in support of the arguments which follow, is to do justice to a desire to find reasons for a decision perhaps only intuitively correct. The object of this article is to support the decision by arguments based upon a wider experience of the other, the truly indigenous, languages of Assam, than was possible in 1881.

The passage runs as follows :—

“ Between Bengali and Assamese there has been raged a battle of the dialects, to which some interest attaches, and which has not altogether been composed to rest. A few years ago it was the fashion for Government officials to assert that Assamese was only a corrupt and vulgar dialect of Bengali, a patois, bearing to it the same relation which Yorkshire bears to literary English, and that it ought in no way to be encouraged, but to be crushed out as quickly as possible by using Bengali as the official tongue and teaching it in schools. This view was earnestly opposed by those educated Assamese who cherished a feeling of patriotic pride in their country, and who claimed for their speech the position of a distinct dialect and a literary tongue. They were warily supported by the American Missionaries settled at Sibsagar, who were the first to print educational works in Assamese, and in the end they won the day. Assamese is recognised as a separate tongue, and is taught in all primary schools in the Brahmaputra valley, while instruction is conveyed only through the medium of Bengali in the middle schools in the default of a complete set of educational works in the Assamese language. The real position of the facts in this controversy appears to be as follows :—All over the Bengali speaking area, there is much fluctuation and variation of idiom : the vernacular dialect of Western Bengal differs strongly from that of Central Bengal, and still more strongly from that of Eastern Bengal; but the language which in its fixed and literary form is called Bengali is a special dialect (that of Nuddea) which has been selected and cultivated as the standard speech, and which differs in some degree, greater or less, from every vernacular dialect. The gradations in the popular utterance from west to east are insensible, but on reaching the eastern extremity of the Bengali area, the Brahmaputra valley, these insensible variations are found to have become so great that the speech of the West is hardly understood in the East. Assamese is, properly speaking, only one of many dialects, springing probably from one central origin, the majority of which dialects are ordinarily grouped under the name of Bengali, but it has received a literary form under the Assam Kings (for indigenous Assamese literature in the shape of *Buranjis*, *kirtans* and translations of Sanskrit religious poems, is far from inconsiderable), and this has tended to stereotype its dialectal peculiarities, and it stands in undeniable opposition to literary Bengali. Probably the vernacular of Sylhet and, still more so, that of Cachar,

would appear to the speaker of Western Bengali equally foreign and difficult with that of Nowgong and Sibsagar ; and, had Sylhet ever acquired a literature, we might have been entitled to speak of the vernacular of that district as a distinct tongue, as we do of Assamese ; but it has no literature of its own. Its literary standard is that of Nuddea, and thereby its distinctiveness is lost. Assamese differs materially from Bengali in grammatical forms : its plural is formed in a different way from the Bengali plural : the feminine gender is shown in a different way : there is much difference in the conjugation of verbs, especially in the present and future tenses ; and it differs also in idiom, in the syntax and collocation of words. There is also an important difference in its vocabulary : it has an infusion of non-Aryan words, picked up from various tribes who have been welded together into the population of Assam, and it retains a considerable proportion of Prakritic words, for which Bengali has substituted Sanscritic words. There is a further difference of pronunciation, which more than any thing else tends to make interchange of the ideas difficult between a speaker and Assamese, *viz.*, the change of the letters sh and s to h, and of chh and ch to s."

A fairer statement of the case could not be wished for. Put briefly, Assamese differs from Bengali in having a separate literature, spelling, vocabulary, syntax, inflexion and pronunciation. A difference of pronunciation, of inflexion, of vocabulary, it shares with other speeches which are admitted to be local dialects of Bengali, and these proofs can only claim probative force as enforcing more cogent arguments. Pronunciation, by itself, is one of the commonest characteristics of a dialect, though it may, under given circumstances, be a clue to the speech of a merged race ; so also with inflexion. Of the vocabulary of Assamese, it is admitted that its peculiarities are borrowed. Literature and spelling, it is admitted, might, under conceivable circumstances, have arisen in Sylhet, and, much more probably, under the native rulers of Cachar, and, it might be added, of Jaintia. But it may be possible to show that the syntax, the ideology, of Assamese furnish good reasons for believing that the mainly Aryan speech of Assam is radically different from that of Bengal. That the difference exists, has been repeatedly acknowledged. Professor Max Müller says that "it matters not how many words may be derived in common from another language, it does not prove the identity of any two dialects. It is to the grammar that we must look, to decide their identity," and Mr. Cust writes of Assamese that "it is laden with Sanscrit loan-words : but the grammar of the Assamese is quite different from Bengali, as far apart as Italian and French from each other." It will be seen that the authorities strongly support the separate existence of Assamese as a language. Yet the controversy still rages. In the number of the *Navya-Bhārat* for Kartik, 1302, Baboo Kāli Gopal Rudra has an article, the object of which is to prove that the claims of Assamese to be a separate language are mainly

supported by interested officials and missionaries. It has already been shown that the official view of the matter has swayed to both sides, and has only recently supported the patriotism of local *pandits*. The Missionaries have merely reflected the opinions of the people among whom they have laboured, and it is difficult to see what interest they had to serve. If Bengali were one with Assamese, so much trouble saved surely in translating the Christian scriptures into one more foreign tongue. But these are mere incidents of controversy. Babu Káli Gopal Rudra does show, what may easily be admitted, that Assamese, in many respects, closely resembles Bengali. The vocabulary of both has a common Prakrit origin, and the older literature of both, especially that of the early Vishnuvite poets and translators, has a common vocabulary, which may easily be accounted for by the common possession of borrowed religious ideas. It were as easy, and as profitable, to trace the resemblance between the *Langue d'Oc* and the Italian of Northern Italy. But that there is a subtle difference is admitted on all hands, and the only difficulty is to fix and gauge this difference, and to decide whether it is so great as to form the greater gulf which separates language from language, and not merely the smaller interval which separates dialect from dialect. Literature is important as serving to fix and emphasise the difference; but in itself it cannot constitute a separate speech. There are some (Southerners it is true) who at this day regret that Burns did not write in the accepted literary speech, and Mr. Swinburne has given some force to this regret, in a recent number of the *Nineteenth Century*, by showing how deftly Burns' most characteristic metre can be used as a vehicle for sonorous English words. Not in written prose or verse lies the difference; and Italian differs from French not because each race has its own literature. Rather it is because each race has moulded the common vocabulary to a different syntax and to a different inflexion. This article is intended to show why and how Assamese differs from Bengali in syntax and pronunciation, and to suggest a historical reason for continuing to regard it as a separate language. It will endeavour to show that Assamese, and the Bodo speech, as spoken side by side with Assamese, in the districts of lower and central Assam, represent, between them, the vanished language of the great Koch race, who once ruled in Assam and Northern Bengal, and still exist as a separate, if very mixed, Hindu caste in those regions. This hypothesis, for it can claim no higher order of proof than belongs to a working hypothesis, will be based upon the demonstrable fact that, while the vocabulary of modern Assamese is similar to that of Bengal, its syntax and

ideology are curiously and significantly similar to the syntax and grammatical structure generally of the Bodo tongue, as spoken in the districts where the Koches formerly held sway.

Before demonstrating this fact, it will be best to dispose of a comparatively unimportant side issue. The bulk of the people who still use the Bodo speech in lower and central Assam are known to their Hindu neighbours as Kacháris, or, more correctly, as Kocháris. Some families of the race are known as Hajong, or Lalong, or Mech, or Jharua. But most, even of these, will admit that they speak the speech of the Kocháris. They describe themselves as Bodo-fisá (or Boṛo-fisá, "sons of Bodo"), and this circumstance led Mr. Brian-Hodgson to describe the whole group of tongues using a Kochári vocabulary as the Bodo group. But in common speech, nearly 300,000 of them, in spite of the growing tendency to become Hindu and Assamese, are still known as Kochári. Now the termination *ari* is a well-known patronymic among the Bodo clans. Bág-ári are the sons of the tiger, who have the striped beast for their tribal totem. And there are many others. May it not be that the Koch-ári are the sons of the Koch? It is true that Kochári kings once ruled in Cachar (though also in other places), and that in the hills between the Jaintia and Nagá hills, known to British rule as the North Cachar hills, there are still a few men known to their Hindu neighbours as Cacharis. But it does not necessarily follow (though, if we were dealing with an Aryan name, the termination in *i* would suggest a derivation from a place name) that the Cacharis were called after Cachar. Cachar was under the domination of Cachari rulers, it is true. But it was so named by Hindus who were not Cacharis, and they may have followed some such impulse as drives English newspaper correspondents to write of the fighting "in Afghan or in "Lushai," the abbreviating instinct which men ingenuously show in dealing with the meaningless syllables of a foreign tongue. It cannot be proved, it is even very unlikely, that the Bodo speaking people of Goalpaṭa and Kamrup and Darrang are called Kocháris because rulers of their race once possessed what we now call Kachar. It is at least possible that the Kocháris are the sons of the vanished race of the Koches.

That is conjecture merely, however, and derives its interest only in being rendered a more plausible conjecture by the indisputable fact that the syntax and grammar of Assamese is practically the same as that of Kochári, as it is spoken in the plains of Assam. The Assamese vocabulary is almost purely Aryan; the Kochári vocabulary is almost purely Bodo. But you may take an Assamese sentence, and, without altering the order of the words a whit, you can

substitute the widely different Bodo words, and the result will usually be an idiomatic Kochárl sentence. The experiment can hardly be made here, seeing that the reader who does not know both languages, must take the result for granted. But it is possible to show to him who runs and reads, that the very idioms which constitute the most important differences between Assamese and Bengali, are to be found in the Bodo speech, expressed, it is true, in non-Aryan vocables, but all the more interesting in their identity when the veil of vocabulary is stripped of them. That the animistic creed of the Kochárls and their interesting language are older than the Hinduism and Aryan speech of the Assam valley, is incontestable. That men exchange the one for the other, is, even in these modern days, a matter of common observation. Most male Kochárls are bilingual, and talk a rough dialect of Assamese in addition to Bodo. The characteristic differences of Assamese pronunciation, as indicated in the extract from the Census Report above quoted, are very marked in the Assamese talk of Kochárls. * They have the same difficulty as Englishmen have in distinguishing between dental and palatal sounds. S. and sh tend to become gutturally aspirate; ch and chh soften themselves into sjbilation. Their women (the sex is always conservative) commonly refuse to talk Assamese; and, when a Kochárl turns Hindu, he commonly marries into a Koch family talking Assamese. There is a Kochárl anecdote which illustrates the inconvenience of this state of social progress. A Kochárl youth turned Hindu and married into an Assamese family. He visited his mother-in-law, who set food before him and hospitably cried, *Khá khá*. But as the word *khá* in the Bodo speech signifies *bind*, he bound her hand and foot. Seeing that he had misunderstood her, she then said, in Bodo, *Já, já*; on which he went away. Such are the difficulties of a duplex vocabulary. But, in both cases, the root form of the verb was used as an imperative, as is so commonly the case.

But there are coincidences of idiom much more striking than this concealed by the double vocabulary. Where the Bengali is content to say *dmdr pitá*, my father, *tomdr pitá*, thy father, *táhr pitá*, his father, the Assamese has a curious distributive form. He says, *mor bápáy*, my father, but *tor bápér*, thy father, and *tár bápek*, his father. This curious idiom is undoubtedly borrowed from the Bodo speech. The Kochárl says *áng-ní áfá*, my father, *nang-ní namfá*, thy father, *be-ní bífá*, his father. It will be seen that this curious idiom is not so much borrowed as imitated through some trick of logical habit.

One of the most interesting idioms of the Bodo speech, as spoken in the plains of Assam, is what the Rev. Mr. Endle

in his Kachari grammar calls the "agglunative verb," finding in it, plausibly enough, a survival of the agglutinative habit, which, as is well known, survives even in our intensely symbolic speech. Whatever its origin, the idiom is easily described. It is a device which largely takes the place of adjectives and adverbs in more highly organised languages. The meaning of a verb is modified by inserting particles which have no separate existence between the root and the inflectional ending of a verb. Thus, *Tháng-bai* means "went," *Tháng-a-bai* means "did not go." *Tháng-thro-bai* means "went quite away." *Tháng-thi-bai* means "pretended to go." *Tháng-sũ-bai* means "went vigorously." And, in animated narration, as many as five or six of these particles may be crowded into the midst of a verb with admirably picturesque force. Such an idiom as this could hardly be copied directly into a speech so Hinduised, so Aryanised, as Assamese. But it has a distinct effect upon modern Assamese idiom. *Kithá-man*, in Bodo, means "spoke." *Kithá-hũi-man* means "spoke from a distance." Something of the same effect seems to survive in the Assamese *gai-pelay halon*. Other instances might be adduced, but that they would hardly interest the general reader.

Another idiom common to both languages (though not unknown to some dialects of Bengali) is the curious passive participle. Sir James Johnstone in his Autobiography, says that he was known in Sibsagar as the *báge-khud saheb*, "the Sahib who was eaten by a tiger." Both in Assamese and in Kochári the relative pronoun *jí*, is now used. But it is evidently borrowed from the Bengali *jé*, and, even now, is less common than the indigenous participle which takes its place in most of the native speeches of Assam. That it survives in Bengali also, is interesting. But there it is rare and vulgar, and provincial. In Assamese and Kochári it is far more common, far more idiomatic and vigorous than the weak symbolism of the relative pronoun.

Both in Assamese and in Kochári the use of this participle is very marked and very characteristic. The oblique oration of classical grammarians is very rare. The direct oration linked to the following sentence by a participle is the common artifice of speech. This is an idiom which it is difficult to reproduce. But where an Englishman, or a Bengali, would say something like this: "Ram said he was going for a walk and Shyam said he would go with him," a Kochári would say, "Ram 'I am going for a walk' saying, Shyam 'I am going with you,' saying," &c., &c., through a long chain of direct orations linked by participles. Traces of this participial usage still exist even in literary Assamese, even in the works

of religious men who borrowed their religion and their religious phraseology from Bengali.

The inflection of the nominative case, again, though not unknown in rustic Bengali, is a much more marked and common feature of Assamese and Kochárá. Again, the Assamese comparative is pure Bodo. "Nandi is a better scholar than I," is, in Assamese, "*Nandiye*" (mark the inflection of the nominative) *mot-kai besli pare*. In the Bodo speech this becomes *Nandi-á ang-nukhrí sílting-si-nú*. In the Assamese sentence the words are Bengali words, in the Bodo sentence the only Bengali word is the Hindu name. But in both the idiom is Bodo, and differs from the Bengali idiom. Again, Assamese has a very curious subjunctive form, peculiar to itself, the use of the enclitic *heten* both in the subjunctive mood and in the accompanying indicative. This seems no longer to exist in the parallel Bodo speech, and may possibly be a survival of an ancient idiom which has slipped out of the more primitive form of the Koch speech. For if Kochárá be a survival of the old Koch language, it is assuredly not a survival of the tongue of the old Koch kings and nobles, who became Hinduised and rapidly assimilated the language of their Hindoo neighbours. It has survived as Saxon survives in the dialects of rural England. Assamese is probably at the same stage of development as the English of the Transition period of Saxon and Norman, when the Saxon speech was still spoken in vulgar purity by common people. But it has gone further in its wholesale borrowing of foreign, of Prakrit words.

To foreigners, and, surely, still more to Hindus, the interesting fact about the development of Assamese is that Assamese (as was perhaps the case with Bengali in far earlier days) is demonstrably a product of Hinduism. It is more than probable that the Koches of Assam spoke their national language so long as they preserved their national animistic creed. If it be asked what proof there is of this, the answer is that the Kocharis do so to this day. It is true that many Kocharis, who eat pig and drink rice-beer, and acknowledge the leadership in religious matters of no Goshain, and are therefore not Hindu, do speak Assamese. But they speak it as a second language, to use the phrase consecrated by Calcutta Examinations, and their wives do not speak it at all. It is only when a Kochari drops his heathen diet, that he also abjures his heathen dialect, and becomes a respected and respectable Koch, an accepted Vishnuvite, though his practice of the tenets of the new faith be sometimes weak-kneed and wandering. It is as if the European nations, in adopting Christianity, had borrowed the vocabulary of the Greek Testament, while retaining their primitive ideologies and grammar. It is probably some such

influence which, in the origin, differentiates the living Aryan speeches of Hindu Northern India from one another. But Assamese is not only a more recent and authentic instance of the tendency, it is one affected by fewer disturbing influences. The Assam Valley alone, among the tracts where Hindoo tribes speak a tongue derived from the Prakrit, has never come under the influence of Islam. The Bengali spoken by Hindus, even in Eastern Bengal, where Musalmans largely preponderate, was a wonderfully pure Prakrit vocabulary. But, in spite of the sanskritising tendency of modern Bengali culture, terms of law and trade and merchandise are largely Persian in origin. There is no such irruption of Islamic phrases into the Assamese speech, except, strangely enough, as a consequence of British rule. In Assam we have a pure, a recent, and a still surviving and progressing instance of the absorption of animistic creeds into the religious system of Hinduism, attended by a simultaneous change of language. Bengal Proper has long progressed past that stage. In Bengal, as in Western India, a man must be born a Hindu to be a Hindu at all, and must speak the language of the Hindus of his race. In Assam a man may be born into an animistic creed, and a non-Aryan speech. He may come under the proselytising influences of the easy-going Hinduism of his province, and may change his religion, his dict, and his language.

There is an authentic instance of a man who was born a Kochari, and prattled in the Kochari speech in the happy boyhood of a Kochari cowherd, in the grass-covered plains which lie beneath the massive mountain ranges of Bhutan. He learned Assamese and a little English in a Mission School, and became a Christian. His learning secured him Government employment, and sufficient wages to justify him, according to Kochari notions, in marrying a second wife. The result was that, according to missionary ideas of morality, he was ejected from the Christian communion. But by this time he had become too civilised to care to return to the pork and beer, the crude superstitions and the frequent, drinking bouts of his father's faith. By slow degrees, and as a reward for adopting Hindu fashions of dress, behaviour and diet, he became a Koch. His children will be accepted as legitimate Hindus, if not of a very high caste, and will speak Assamese.

It is these things, and things like these, that really differentiate Assamese from Bengali. Bengali has attained to the status of an old Hindu speech. It is spoken, indeed, by more Musalmans than Hindus, but the literary standard of Bengali, the pure Nuddea speech, is a purely Hindu speech. If Bengali has been brought up to the requirements of modern culture and science; if it possesses novels, plays and poems as expressive,

as many sided, as their European models ; if Huxley's essays and the Descent of Man can be rendered into adequate Bengali, that is the work of educated Hindoos who have boldly and with remarkable success used the great treasure-house of Sanskrit nomenclature in expressing European culture and European science in an Eastern dress. One of the great stumbling blocks in the way of the progress of the Musalmans of Bengal is, that they neglect equally English and Sanskrit learning. The Hindus of Bengal have already welded into their language the combined products of Sanskrit and European culture, and promise, in due time, to produce the most flexible and polished speech of modern India. It may be said that this is true only of literary Bengali, and that rural dialects do not greatly differ from the rural speech of Assam. But both literary and rustic Bengali are the speech of a race which has forgotten the primitive language of non-Aryan forefathers, a race which begins to doubt whether there ever was a time when Bengal was not Hindu.

The speech of Assam is that of a race which is still largely bilingual, and still professes animistic creeds side by side with a Hinduism which is still proselytising, and the results of this social and religious and lingual state are still reflected in modern Assamese. It resembles Bengali, it is true, and, in its vocabulary, resembles Bengali more closely than some of the accepted dialects. But its structure is, as might be assumed from its history, largely that of non-Hindu dialects. It may be that similar causes gave rise to the recognised dialects of Bengali. If it be so, the non-Aryan strain is too distant to be satisfactorily identified except in the ethnical relations of the people who speak such dialects. Anthropometrical enquiries may lead us to conjecture that people who speak rustic fashions of Bengali derived their idioms as well as the shape of their heads and of their chins from non-Aryan and non-Hindu ancestors. In such cases we cannot hope to attain to more than a high degree of probability. But in Assam, the process is going on before our eyes, and Assamese is largely the language of newly converted Hindus. It is of course also spoken by Brahmins and Ganaks and Katakis, whose claims to a western origin are as gravely advanced, and are probably as incontestable, as those of Bengali Brahmins and Acharjyas and Kayesthas. But the bulk of the race are but recent converts to Hinduism, and their speech differs from Bengali in possessing a marked and easily recognisable non-Aryan element.

In time, no doubt, the language of Assam will become assimilated to that of Bengal, and its literature will accept the culture of Calcutta. But, from a Hindu point of view, it is hardly to be desired that this probably inevitable result should be attained until Assam has become thoroughly

Hinduised. The acceptance of Bengali culture and Bengali views of life would involve the introduction of the stereotyped Hindu system of Bengal, which admits no converts. It has been shown how Kocharis and other races (such as the Ahoms and Chutiyas) are adopted, by a sort of legal fiction, into Hinduism. But there are whole races, not yet Hinduised, who must apparently come into the Hindu fold. One such is the great race of the Dafflas. It is not known to the writer that a single member of this tribe professes himself to be a Hindu. But it is well-known that this race, owing apparently to their national habit of wearing a top-knot and to their characteristic dress, are known to their Hindu neighbours (though they themselves deny the imputation) to be Siva-bansha, of the race of Siva. On the scattered blocks of carved granite which lie about the pretty station of Tezpur and are known to Hindus as the ruins of the palace of the mythological princess Usha, whose history is one of the most romantic episodes in Hindu legend, are mystic characters which no man can now read. It is a common Hindu belief that these characters are "Daffla writing," though the Dafflas, like most Assam aborigines, know not the use of pen and ink. Under existing conditions, the time is nearly ripe for Dafflas to abandon savage habits of eating and drinking and marriage, and to be adopted into the Hindu hierarchy.

Many other tribes show a strong tendency towards Hinduism. The Cossyahs of Shillong are now largely Christian, but commonly use Hindu names for their children, the names of Hindu gods and goddesses. So also with the Garos, and Miris and other tribes. On the other hand, an instance of the retarding effect of Bengali Hinduism is afforded by the Tipperahs, who only come into contact with Hinduism as practised by Bengalis. The Maharaja of Hill Tipperah himself has found that his desire to be enrolled in Hinduism is contested by his own Bengali dependants; and, as for his humbler subjects, they are probably destined to follow the example of the Mags of Chittagong, and to adopt Buddhism. Perhaps that is a better way, morally and socially; but it is a way which leads to distance and severance. If Assam is to become Bengali, and the tendency may be assisted by the mere administrative change now proposed, of putting more Bengalis under the Chief Commissioner of the province, now known as Assam, it can hardly be doubted that the Hinduism of Assam will become as stereotyped, as inflexible, as the Hinduism of Bengal. The social and religious customs of the Assamese, and especially their habit of adopting non-Aryan tribes into their community, are widely different from the customs of Bengal. Their language reflects and emphasises this difference, and

makes for the proselytising of savage tribes to Hinduism. It is the language of a race which grows not only by births, but by adoption.

From this point of view, it is not a little surprising to find Missionaries and officials charged with propping up the claims of Assamese as a separate language. As a matter of fact and history, the officials of Assam at first rejected, and then, on further enquiry, accepted, the claims of Assamese to exist apart from Bengali. In allowing Assamese to be taught in village schools, they undoubtedly followed, and still follow, the wishes of Assamese parents. The Missionaries were moved by an even more generous impulse. For the most part they are men who have spent their lives among the Assamese, men who had learned the language and customs of the people, as few officials can hope to learn them : men who know Bengali, if at all, only in the Bengali Bible, which has served them as an aid and example in their own translations into Assamese of the Holy Book. In claiming for Assamese an independent origin and an individual existence, they have been guided partly by the prepossessions of their Assamese friends, partly by the difficulties they have experienced in translating their scriptures into Assamese. The vocabulary of the Bengali Bible has undoubtedly assisted them ; the syntax, and grammar has been as great a difficulty to them, as it must be to any one who translates out of Bengali into Assamese. It is only prejudice or ignorance which can impute interested motives to either officials or Missionaries. If interest there were, it would assuredly be in the opposite direction. It is to the interest of officials that the scanty population which still speaks Assamese, should coalesce with the orderly millions of Bengal, and especially with the people of the eastern districts which have been and are now about to be included in what is, for administrative purposes, called Assam. Officials have assuredly no quarrel with the people of Goalpara because they persist in speaking much the same Bengali idiom as the rustics of adjacent Rungpore, or with the people of Sylhet and Cachar because their Bengali speech is much the same as that of the adjoining districts of Mymensingh and Tipperah. On the contrary, it was long before they could be brought to believe that the Assamese tongue was not a mere dialect of Bengali.

As for the Missionaries, their work of evangelisation is hindered, and may even in the long run prove nugatory, because they essay to convert to their faith wild tribes who, if they were on the border of Bengal, would be left free to accept the Christian faith. The Assamese language is the language of a Hindu race whose Hinduism has not yet become fixed and conservative by contact with Islam. Just as the Assamese,

while using the words of Hindu India, arrange them in the easy and expressive grammar of primitive non-Aryan folk, so, in their social as in the linguistic habits, they are still at a plastic stage of culture, and can still accept converts from animistic creeds, even when these converts come to them through Christianity. The result is that, while the Census of Bengal shows a Hindu population decreasing in numbers and being daily encroached upon by growing millions of Mussalmans, in Assam the number of Hindus grows apace, and will, if existing conditions prevail, grow even more rapidly in the near future, when the opening up of Assam by railways and trade, and the influx of foreigners shall make the aboriginal tribes ashamed of their simple savage habits of life and belief.

The Assamese language typifies the processes by which the wild tribes of the frontier are being admitted to the tolerant Hinduism of the province. Modern Bengali has become a highly sanscritised speech, and the Hinduism of Bengal, owing largely, no doubt, to the presence of a numerically large Mussalman element, is stereotyped and admits no converts from without. Assamese, though it has its literary history and ambitions, is still a speech capable of much development, and still replete with interesting aboriginal elements. Not otherwise is it with the Hinduism of Assam. It has received into its tolerant fold races who, even now, are considered incapable of exercising the full privileges of Hindu society. The Doms of Assam, not by any means to be confounded with castes of similar name in India proper, practise Hindu worship, and reverence Hindoo gods. But in their long thatched places of worship are no idols, and where the idol would be in a Bengali temple, is usually a copy of a Hindu *Shastra*. If they are asked whether they are Hindus, they will humbly reply that they are not Hindus, but Doms. They cannot even get married according to Hindu ceremonies, and their habit of cohabiting without public rites has caused difficulties to the courts of Assam in cases of succession. Take again the Ahoms, a higher caste, and usually accepted as a true Hindu caste. With them the form of marriage is usually that of the Ahom race before it became a Hindu caste, the *jhapa ghurna*, the "going round baskets," or other such primitive forms. Even among the highest castes of Assam, the Brahmins and Kakatis, who claim a Western origin, and are orthodox, even beyond Bengali ideals, in other respects, the form of marriage differs widely from the Bengal usage. There is no infant marriage, but, instead, a long series of betrothal ceremonies resulting in a marriage of youth and maid, which recalls early Aryan days. It is possible to imagine that the social system of Assam is much what that of Bengal

might have been had it not been cramped and confined by the influence of Mahomedanism. The *Zenana*, the childwife, are unknown. Assamese women go about the streets of Assamese villages in unveiled freedom, as they did in India in the days when the only religions were Hindoo or Buddhistic. Nowhere is this more noticeable than in Manipur and in the districts to which Manipuris had emigrated. It is well known that the Manipuris, like most people of further India, leave most of the business of the market to their women, and it is significant that the Hindus of Manipur not only did not come into contact with Mussalmans until they migrated, in British times, into Sylhet and Cachar, but had preserved their own non-Aryan speech. The time may come when, like the Assamese, they may adopt an Aryan vocabulary. But it seems probable that their social habits may, even then, find an echo in a marked idiom of their own, and that Manipuri, even then, will still be Manipuri and not Bengali. At present, their speech, though it is written in Bengali characters, is at least as different from Bengali as is Naga or Thibetan, though the majority of the race are Vishnuvites of a very dogmatic type, and not only call themselves, but are accepted by orthodox Bengali Hindus as, the descendants of the Ulysses of the Hindu Odyssey, of Arjun who went to "Manipur" and married Chitrangada. In this case the difference of language, a difference far greater than exists between any two languages of Europe; in the case of the Assamese the difference of idiom, coincide with and reflect, a condition of Hinduism which Bengal has long lost, a state of things which involves a growing and a proselytising Hinduism.

In Bengal, the same tendency, if it exists at all, is perhaps shown in the birth of the Brahmo Somaj, which resists the tyranny of the *Zenana* and of infant marriage, a tyranny born of the struggle with Mahomedanism. But even the Brahmo-Somaj, with all its liberality of view and all its eclecticism of creed, is essentially stereotyped in this, that, in practice if not in theory, it admits to its worship only born Hindus. Among the Assamese, the Somaj has few, if any, adherents. With them, it satisfies no wants; from them, its claim for a wider, simpler, more tolerant faith, extorts no admiration. Their Hinduism, if, in many cases, it is that of new converts, is that of a race which has not come under the social influences of Islam. Boys and girls make love as in Europe, get betrothed as in the West, and, not uncommonly, elope together, when parents and guardians are inexorable, as they seem to have done in the days when early Hinduism recognised the *Gândharva* and even simpler forms of marriage. Hinduism in Assam, so far as we know (and the subject deserves far more

careful study than has ever yet been bestowed upon it), is a quaint mixture of primitive and indigenous practices with the Tantric superstitions which have tinged the beliefs of Eastern Bengal, of Assam, and even of Thibet and Bhutan. It has the defects of its qualities, but it has the sterling merit of reproducing, with startling accuracy, the social conditions of early Hindu days before Islam appeared in India, of the days when Hinduism was a growing faith, and was not, like Judaism, confined to a chosen people ; and the language of this growing, living faith is Assamese. The tendency, under British rule, may spread further East. Burmah is Buddhist, as India once was Buddhist, and Buddhism, as a derivative of Hinduism, maintains many Hindu beliefs, and, even in the Burmese language, many Hindu vocables. It is not long since the writer of this article met a *pāṇḍa*, one of the travelling monks who collect pilgrims for the great Hindu shrines. This *pāṇḍa* had wandered into Burmah to minister to the sepoys and policemen who have taken service in Burmah, and he did not hesitate to affirm that the Buddhists, on the banks of the classically named Airavati, might yet go on pilgrimage to Srikhetra, if not to Gayá and Kási. Whether this is a result greatly to be desired, does not much matter, seeing that creeds are not usually influenced by considerations of commerce or comfort. The fact remains that, in Assam, properly so called, Hinduism is still a living and growing faith, and that when tribes professing an animistic creed accept Hinduism, they usually (the sole exception seems to be Manipur) adopt, as Assamese has adopted, a Prakrit vocabulary.

Burmah may yet become Hindu without abandoning its native speech, though its scriptures are already necessarily full of Sanskrit vocables. In any case, Assamese, though its vocabulary is chiefly Prakrit, has the idioms of a race whose social customs differ widely from those of the Bengalis, and are essentially those of a Hindu race which has not adopted Mussalman social habits. It is perhaps only a coincidence, brought about by historical influences, that the difference of idiom is accompanied by a wide difference in social habits. But it is an incontestable fact that the people who talk acknowledged dialects of Bengali, are undoubtedly Bengalis, not only in language but in religion and in social customs, when they are not Mussalmans. Indeed, the dialects of Bengali which differ most widely* from the accepted literary standards, are the dialects of the "Báṅgáls" of Sylhet and Chittagong, districts where Mussalman influences have been more potent than in any other part of the Bengali area, districts where no respectable woman dare look a strange man in the face, and where to be *pardanashin* is to

be wealthy and virtuous. The language of Assam is that of a people subjected to no such influences as these. Even the horrors of the Burmese invasions (and the carrying of ladies of even royal families into Burmah is not yet forgotten) did not bring about the desperate remedy of the *pardah* and infant marriage. It cannot be doubted that the Hinduism of Assam was derived from Bengal, even if the early Hindu Rajahs of Assam brought their first Brahmins and Kayasthas from Kanauj. But the Hinduism of Assam differs widely from that of Eastern Bengal, even if it shares its Tantric mysteries and corruptions. So is it also with the Assamese speech. Its vocabulary is largely that of Hindu races all over Northern India, the softened Sanskrit which we are content to label as Prakrit, the practical speech of business men. But its idioms are the idioms of a race which preserves its individuality and much of its national customs. It is only an accident that this individuality has not been touched by the influence of Islam, and has only come into contact with the raids of the Burmese, and the possibly absurd tolerance of British rule. The actual result is that the Assamese speech and the Assamese form of Hinduism grow apace, and are instruments of civilisation in the far East.

To sum up, such dialects as those of Sylhet and Chittagong seem to be, in their essence, Mahomedan dialects. They are spoken, for the most part, by Mahomedans. Though they have their grammatical peculiarities, as all dialects have, they owe their difficulties (and the Chittagong and Sylhet speech are extremely difficult to be understood by people speaking standard Bengali) chiefly to their very characteristic pronunciation and intonation, the characteristics, in short, which distinguish the spoken speech of Australia and America, and still more forcibly the English spoken by Germans or Frenchmen, from the English spoken by educated Englishmen.

Thus, as Mr. Pargiter has shown, the peculiar adverbial forms used in Chittagong seem to be due to clumsy pronunciation of recognised Bengali adverbs. But Assamese is different. If it resembles Bengali at all, it probably resembles a much more primitive Bengali than the highly complex and civilised speech of modern Bengal. We have, unhappily, no record of what Bengali speech was in days prior to the Mahomedan conquest, seeing that Bengali literature does not go back to the days of Hindu rule. Even the early poems which survive have, as Mr. R. C. Dutt has shown, been much tampered with by modern Calcutta Editors, and retain little of the primitive freshness of idiom, which is still characteristic of Assamese. But we can hardly doubt that the Hindu society of Bengal once went through the phases which now distinguish the social life

of Assam, in days when the *purdah* and the seclusion of women had not yet followed upon the introduction of Mahomedan habits. It is probable that the Bengali of those early days closely resembled the Assamese of to-day, a Bengali with a vocabulary largely Prakrit, but containing many idioms belonging to the logical and ideological habits of the Bengali people. Modern Bengali, the Bengali of the modern masters of Bengali literature, has departed from this primitive model in two directions. The desire for giving expression to new ideas, the necessity of using symbolical words and terms of abstract science, have led to a wholesale use of Sanscrit terms, a usage which, though often condemned by modern critics, has doubtless added to the flexibility and especially to the sonorous force of the language. It is small matter for wonder that Bengali students of English have usually shown a preference for the sonorous Latinised form of English which is associated with the names of Gibbon and Dr. Johnson, writers who strove to do for English, by the use of polysyllabic Latin words, what modern writers in Bengali strive to obtain by the use of the even more imposing vocables of Sanscrit. Mr. Skrine, in his "Life of an Indian Journalist," has shown that this tendency is not universal, but he would no doubt admit that it exists. Again, the syntax of modern Bengali has been largely influenced by the study of English. The short tautological sentences which were once common in Bengali, which still appear in the simpler passages, for instance, of Bankim Chunder's novels, have for the most part given place to involved phrases abounding in relative clauses, sentences which may be easily found in the only too literal translations of English laws and law reports. This tendency is reflected in popular writing and magazine articles. Bengalis often wonder why young Englishmen who study Bengali, find more difficulty in learning the simple idioms, the quaint directness of speech, of the metrical Mahábhárat and Rámayan, than in reading modern Bengali prose. The explanation probably is that the construction of the modern Bengali sentence has much the same logical order as the sentences of their native tongue. Both these influences are still absent from the written language of Assam. English learning has made much less headway in Assam than in Bengal, and short tautological sentences are still the rule. The Assamese have borrowed the Bengali relative pronoun, but use it with diffidence and difficulty. The vocabulary is still Prakritic, and the syntax is, if not, as this article suggests, that of the Koches, at all events that of the mixed and largely non-Aryan races who now speak Assamese.

That Assam will some day speak Bengali; that its indigenous literature will either disappear, or become merged in that

of Bengal, is too probable. When that time comes, the social customs of Assam will also, no doubt, be modelled on those of Bengal. In point of numbers Assam is the Ireland of Bengal. Its paltry two millions of Hindus can hardly hope to maintain a home rule of usage and idiom against the encroachment of the orthodoxy, literary, social, and religious, of the many millions of Bengalis on their borders. When that time comes, the savage races of Assam will probably be debarred from inclusion into the Hindu fold, and, if they seek to escape from savagery into higher ideals of life and religion, will have to choose between Christianity and Buddhism. But that time is not yet, and it is impossible to say what changes political and religious progress may produce in Bengal itself. Just now, Bengal seems to be undergoing a process of religious and social reaction, and even the purely national and Bengali departure in the direction of higher living and thinking represented by the Brahmo Somaj seems to be, in some degree, discredited. No doubt, it is felt that the influence of Islam, of Christianity, of modern science, has led men too far from ancient usage and ancient ideals. But the pendulum may swing again, and the leaders of the Somaj may again obtain the influence due to men of unselfish ambitions, and a sympathy with the best traditions of their race. If this change should come about, it will doubtless give rise to a tolerance of the simple language and the simple habits of the Hindus of Assam.

It is characteristic of the reaction that it should find, in the official recognition of the separate existence of Assamese, an interested attempt to discredit the social system of Bengal. The plain truth is far otherwise. It is the Hindus of Assam who maintain that their language and their customs should be recognised and supported. The time may come, and probably will come, when they will lose their independence of speech and custom; and assuredly no officials and no missionaries will be able to give pause to the tendency, even if they were likely to wish to dam so irresistible a current.

Meanwhile the Assamese claim, not without reason, to speak a language unaffected by Christian or by Moslem influences, a language reflecting the primitive forces of a Hinduism which is still sufficiently flexible to grow and to make converts. It is not a highly literary speech. Its vocabulary, for all its Prakrit origin, is still limited and simple, the language of a race of cultivators who know nothing of town life. Its syntax is still redolent of a primitive and even savage past. But it has a literature which is entirely indigenous, except where it is borrowed from Hindoo, that is, from Tantric religious learning; a literature chiefly of local genealogies

and histories. Assam, unhappily, has forgotten much of its history, almost all of so much of its history as preceded Hindu times. It may come to forget the social system which now exists, the system of a Hindu race which comes in to contact, not with Mahomedanism, from which Hindoos have never made converts, but with savage folk who can be as easily assimilated as, doubtless, were the lower castes of India proper when these castes represented, not the absurd and artificial distinctions of trades and occupations, but vital and essential distinctions of race.

Modern Assam, in short, enables us to realise the social conditions of pre-Islamic India. British rule has brought tea gardens, missionaries, railways, in its train; but these disturbing influences have not much effect on the social and religious life of quiet Assamese villages. It has brought the peace, the security from Burmese invasions, which renders the natural development of the tendencies of the race easy and rapid. As time goes on, communication not only with civilised Bengal but with pacified Burmah will be improved. The savage creeds of the aboriginal races must needs disappear before such influences as these. None of us can foresee whether Nagas and Miris and Mikirs will become Hindoo, or Buddhist, or Christian. But, at present, there is no indication that they will become Mahomedan. For, if Islam has conferred upon Bengal the zenana and infant marriage, Bengal has had its revenge in restricting the proselytising influences of Bengali Mahomedanism. If the recurring censuses of Eastern Bengal show a growing proportion of Mahomedans, it is because Mahomedan families are larger than those of Hindus and not because the Hindus of Bengal are deserting their faith. But these, if interesting, are only speculations, and relate to a future which none who read this article will live to see. Meanwhile, let it be said once more, it is not for Hindus who respect the primitive and growing Hinduism of their forefathers to despise the Hindu faith of the Assamese, or to reject the claim which the Assamese set up to speak a tongue essentially different from Bengali.

J. D. ANDERSON.

ART. VII—THE BHUIYAS.

IN a remote corner of Orissa, on its extreme North-Western boundary, in the semi-independent State of Keonjhar, which is one of the eighteen States that comprise the Gurjat Mahals, and also in its North-Western portion, in a very hilly district, a wild tribe called the Bhuiyas have, from time immemorial, made their abode. They claim to be the "children of the soil," and to possess full proprietary right over the land, the very word "Bhui" meaning earth. They entertain a firm belief that the land belongs to them and they, therefore, have the privilege of its disposal. Their appearance and colour are different from and darker than those of the Hindus by whom they are surrounded.

They are the second largest wild tribe in Orissa, numbering some thousands, and they have divided themselves into different septs, which are fast forming distinct customs in accordance with those of the Hindu races they come in contact with. There are four characteristic septs which claim the title of Bhuiyas, and which in turn have thrown out a few smaller branches, that, however, are so insignificant as to be hardly worth mentioning. The parent clan are the "Desh" Bhuiyas, who claim to be superior to the remaining septs, and have preserved all the characteristic features of a wild tribe addicted to strong passions. The 'Raj Kolli' Bhuiya is supposed to be a descendant of the Raj family from a concubine, but of this I shall speak later on. The "Routali" and "Pabanos" are the remaining septs. They are smaller in number than the "Desh" or the "Raj Kolli" clan, and have become cultivators, having adopted many Hindu customs, and consider themselves more enlightened than the "Desh" Bhuiya.

Of the "Desh" Bhuiya I shall speak in detail. In fact the following account refers, almost without exception, to this clan.

I consider the Bhuiya tribe not only the second largest, but also the most influential, of all the Orissa hill tribes; and they have periodically played a prominent part in the Keonjhar State. There are other aboriginal classes; but these I hold not to be pure hill tribes. They have lost all their former features and have now adopted the Hindu religion *in toto*, modifying its rules to suit themselves, though, perhaps, they retain in a degree the snub nose and dark complexion of their ancestors. The usual spirit seen in hill-tribes is wanting among them and they bend easily to the yoke.

The emblem of signature of the "Pahariah Desh" Bhuiy is the "*bangy*," while all the other septs claim the "*kanda*,"

or axe, as their emblem. These emblems they also worship at certain intervals, regarding them as gods.

BOUNDARIES, LANGUAGE AND SOCIAL STATE.

We find that the Bhuiyas extend roughly from the South-West border of Singhboom, forming their northern boundary, to Pal Lahara, Talcher and Denkhanal on the south, while the petty semi-native States of Bonai and Bamra, of Singhboom and the Central Provinces, are the Western boundary, to the foot of the hilly district of Keonjhur on the east. Proximately speaking, this area amounts to about sixteen hundred square miles, out of which about two hundred and fifty square miles represent the original seat of the Bhuiyas.

In the two hundred and fifty square miles alluded to is the home of the "Paharia" Bhuiya, while the "Desh" Bhuiya, of whom they form a part, inhabit almost all the hilly district; and at the foot of the hills you see the "Raj-Kolli," "Routali," and "Pabanos" Bhuiyas.

It was the "Paharia" Bhuiya who, tradition says, nurtured the boy-king in the remote period when the severance of Mourbhunj and Keonjhur trembled in the balance, and to them alone remains the honour. Keonjhur is the home of the Bhuiyas; but overcrowding has forced them to emigrate to the neighbouring States, where they soon lose touch, and cease to show the character of their parents.

TRADITION.

Tradition has it that the Bhuiyas were instrumental in separating the Keonjhur States from the large Mourbhunj principality about a thousand years ago, when they found that the journey to the latter State took weeks to accomplish. Owing to the hardship of travelling through extensive and perilous forest, to pay their respects and tribute to the ruling chief, and to the fact that many of their kinsmen who went on these periodical visits never returned, but perished on the journey from the attacks of wild animals, or succumbed to disease, they resolved to instal a Raja of their own; and, to gain this object, they, during one of these State visits to Mourbhunj, stole one of the young sons of the then ruling chief, and brought him away to their hilly fastnesses, which in those days it must have been no small task for strangers to penetrate. The prevalence of ambition and family intrigue in these Raj families probably facilitated the venture, and it is possible that the family designed the plot at the instigation of the Bhuiyas, and helped them in the carrying away of the child. Once among them, the young Prince was carefully and jealousy nurtured; Gwalas and other castes were imported into their hills to attend and ad-

minister to his wants. His meals were specially and separately prepared, and the story runs that so great was the Bhuiya respect for the boy-king that none of them were allowed to touch the cooked food, lest it should be defiled, and, still more effectually to prevent such a calamity, the chatty in which the daily food was prepared for consumption was emptied, and a leading Bhuiya broke the pot with a well-directed arrow from his bow.

The breaking of the earthen-pot is considered essential to this day, though the custom of doing so with an arrow has passed into oblivion, and the task now falls to the lot of the household servants.

On the lad attaining majority, it was decided by his guardians that a suitable site should be selected for the erection of a "Garh." In their wanderings, they came to a spot where they beheld the strange sight of a dog vanquished by a hare in a fight. This was considered an extremely favourable omen; it was resolved that the scene of the conflict should be consecrated by the building of the "Garh" for their young king, and this is the place that is at present the seat of the State government and the palace of the Rajas. It is situated in a nasty hollow, reeking with malaria, at the foot of a range of hills and the boundary of the Bhuiya Pirs (or Pergunnahs). In fact, from the hill immediately behind, where the Ind festival is held, the palace can be overlooked. This "garh" has the same position as most of the "garhs" of the Orissa Tributary States, and, apart from tradition, is so situated as to facilitate the escape of the Raj family into the jungles in the event of an attack by the Mahrattas, or other foes.

The offspring of the concubines given by the Bhuiya caste to fill the harem of their young Raja in those early days are represented by the powerful sept, the Rajkolli Bhuiyas, who claim their origin from this circumstance. Moreover, their name confirms the statement, the word "Koli," or "Kolo," meaning, in Uriya, the "lap." This connection led to this sept being more civilized, and imbibing the Hindu customs that prevailed about the person of the young chief.

From the date when they fixed the situation for the Headquarters of their chief to the present day, the Bhuiyas have claimed that the Raj installation cannot be pronounced complete till they have performed their quaint part of the ceremony, which means a mustering of the clans, headed by the hereditary master of the ceremonies. On these occasions they march into the court-yard of the palace with drums beating and other musical instruments playing a wild and fantastic air, while the leader carries on his shoulder a large "pumpkin" (a token of submission or allegiance). On their arrival, the "pumpkin" is

presented, and the leader takes the boy Raja on his knees, performs a religious ceremony, marking him on the forehead with sandal-wood, and formally places him on the throne. They then, in a body, prostrate themselves, ask forgiveness for past offences, and declare that they will not rise until their request is granted. The newly installed chief bids them be of good cheer, and orders them to rise. The master of the ceremonies then, stepping forward, makes inquiries regarding the Raja's health, and the welfare of his family, horses, elephants, and all the State paraphernalia. These tender inquiries are answered, and the Raja's State Koṛan (writer) reads out from a palm leaf document particular questions concerning the health of the Bhuiyas, their families, cattle, hill-streams and fields. Ultimately the representatives of the village prostrate themselves again in succession, and each of them, taking the newly installed Raja's left foot in his hands, places it first on one shoulder, then on the other, and, saluting it with his forehead, again prostrates himself and withdraws. Thus ends this trying ordeal, to be followed by festivities and feasts.

The ceremony develops into the hereditary household Bhuiyas performing the ritual of the throning. One person holds the umbrella, another acts as a horse, and carries the lad, to be installed, on his back, to the person who is to make him sit on his knees.

This ceremony is repeated every year, in the month of May, except that the throning part of the custom is dispensed with.

From the above narrative, it will be gathered that the Bhuiyas want a ruler to whom they can appeal, and from whom they can procure advice, that, from time immemorial, they have had no wish to be made independent and self-governed ; on the contrary, they claim a prescriptive right to approve of, or resent, the administrative acts of the Rajas of their own creation, and the periodical rebellions that have taken place have been owing to dislike of the individual ruler by the Bhuiya, or to some grievance.

This was noticed in the late rebellions of 1890-93. When the Raja had fled to seek protection at Cuttack from the British and had left his family to the care of his rude police and matchlockmen, the Bhuiyas, on hearing this, never made a determined attack on the " Garh," which they could easily have taken and put every one to the sword, as it was poorly manned and would have surrendered before large numbers ; but they did not wish to harm the Raja's family, the object of their resentment being *non est*.

The Bhuiya Pirs have always been the property of the Queen of the State, though administered by the Raja ; and she is called by them the mother, and looked upon with veneration.

In the former rebellion, when the Bhuiyas entered the palace, seeking for the Beburtha (Manager), who had taken refuge in the Queen's compartments, they found, to their horror, that he was in her presence. This incensed them to frenzy, and they declared that nothing but his blood would atone for the insult of which he had been guilty, in seeing the face of their revered mother.

CHARACTER AND APPEARANCE.

The Bhuiya character has certain peculiar features that are wanting in the many aborigines, other than hill-tribes, that inhabit the Tributary States of Orissa. I have found them to be frank, truthful, and imbued with a passionate love of liberty, devotion to leaders, and unconquerable resolution. Besides this they are faithful to friends and very hospitable, their hospitality having passed into an Uriya proverb, and, though not brave, they are absolutely free from any thing that can be called cringing or subserviency. Their vices, on the other hand, are inclination to revenge and very occasionally to brutal passion, and constitutional indolence. The latter trait may be caused by their easy mode of living. Drunkenness is prevalent; no event of the life of the Bhuiya, no public ceremony in his village, is complete without intoxication. The women alone refrain from the cup; and, while drunkenness is regarded as a commendable custom among the male population, in a woman it is despised, and would be deemed utterly disgraceful.

The two great virtues of the Bhuiyas are fidelity and hospitality. Every stranger is an invited guest. On a traveller entering the village, he will be solicited to share their meal, the women respectfully attending to all his wants, bringing him water and lighting his fire. A guest cannot be turned away, and may remain as long as he likes. Should the visitor be a State official or a person of influence, all the women will rush out to meet him, and at the entry of the village they will, theoretically speaking, wash his feet and bid him welcome. A little turmeric, mixed in the water they carry, and small wooden stools, being an essential part of the ceremony, conveying to the mind the idea of sitting on the stool and getting the feet washed. On spilling the water at the feet of the welcome visitor, the chief old lady will kneel down, resting the palms of her hands on the ground as a salutation; she will be followed by a senior maiden, after which all will say, "You see our state, how poor we are, but you are welcome to share all we have," and lead the strangers to the guest-house.

The Bhuiya is very clannish, the bond being looked upon with such veneration that no matter if the call to a gathering be detestable to certain persons, yet they are in duty

bound to attend, or would be considered disloyal, out-casted, and not fit to bear the proud name of Bhuiya. Where the tie is so strong, it is quite possible for them, on the slightest infringement of their old and time-honoured hereditary rights, or on the faintest appearance of any design to increase the surveillance over them or to curtail their uncontrolled freedom, to set the whole mountains they inhabit in a flame.

A rising among them means a rebellion of the majority of the State they inhabit, Keonjhur, as they have from a very remote period exercised an unbounded influence over the remaining aboriginal classes, the "Gonds" the "Bathuris," the lower sects of the Gwalas, the "Sounties" and all the various sects of the Bhuiyas. That the Bhuiyas, though numerically weak, had immense influence over the population of the State, is seen up to date. They are always looked upon with suspicion and awe, and can generally demand what they choose from the other classes. Their name seems to have some magic connected with it, as, at the first sound of the late revolt in 1891-93, the whole population were at their feet, offering bribes to, and begging from, the influential leaders protection and their lives, saying: "We are the younger brothers and you are the elder brothers, we cannot gainsay your demand."

The woman, though modest, is the worker among the Bhuiyas, leaving only cultivation, and their pastime, hunting, to the men. She has to find the daily food and superintend all household duties.

The Bhuiyas have the easy bearing of men unconscious of inferiority, and rarely use expressions of courtesy. In salutation they lower the upper part of the body and at the same time join and raise the hands to the forehead, thumbs uppermost, uttering the word salaam in a loud voice. While willingly imitating the nobler features of Hindu civilization and religion, they assert their superiority as a nation to the more cultured race. Their boasts are, that they revere their parents, that they are men of one word, and that the Bhuiyas are one as a race, while the Hindus are unlimitedly subdivided.

APPEARANCE,

In appearance the Bhuiyas are much finer than the other cognate tribes around them. They are of a light complexion; their countenances are not well favoured; but they are hardy, athletic and of average stature, have an erect and easy carriage, and a long free stride, and their hands and feet are both large and well formed. Besides this, they have a round face, full lips, high cheek bones and the spread nose of the Gonds and Kols. The Bhuiya is beardless,—or nearly so,

while the hair of the head is frizzly or curly, coarse and black, and in some cases straight. The hair is worn long, being combed and oiled, alike by the males and females; but the former shave the forehead, which contributes greatly to their ugliness. The hair of some is worn in a shaggy state, resembling a huge mop, and is neither oiled, nor combed. Clothing is regarded as a superfluity among the men, and is usually confined to the "*kopni*" between the legs, which they fasten, before and behind, to a string round the waist; while those of the higher orders wear the "*dhotie*" extending to the knee.

The women are more particular, wearing a coarse woven "*saree*," made by the weavers that inhabit the outskirts of their villages, Hindu fashion, except that no part of it is used as a veil. They are tall, well made, have usually a pleasing expression and a bold, innocent look. Most of the women tatoo their arms and shoulders, and, as ornaments, wear earrings and nose-rings, immense bunches of beads, and occasionally brass necklaces, covering the bosom and extending to the loins. On the arms they wear a large number of thin brass rings, which jingle on the slightest movement. Many also adorn their legs with anklets, made of brass or bell-metal, to set off the fine shape of the legs, and small brass rings on their toes.

The men believe that nature looks best when unadorned, and they wear only a row or two of beads round the neck, or bits of roots through which a string has been passed; but a few wear the Brahminical thread, more for show than with a religious purpose. The women are passionately fond of flowers, and are invariably to be seen with bunches or garlands of scented flowers in and around their hair; while, to give it a nicer appearance, they mingle with them artificial ornaments made of coloured cotton.

SOCIAL STATUS.

The Bhuiyas are not looked upon as a low caste by the surrounding Hindus, though they eat fowls and the grubs of insects. In fact, the Hindus of the State will drink the water they touch, and do not consider themselves defiled if they come in contact with them. This may be accounted for by the fact that they have been the care-takers of the State chiefs, from the time when Keonjhur was established, and have always taken part in most of the domestic affairs of the chiefs, thatching the inner house of the Zenana, where only respectable castes are allowed to enter.

In these tributary States, the bigotry and strength of the Hindu religion is generally regulated by the Rajas, whose

example the mass of the population follow, the Brahmans even taking advice from the chief in regard to their usages and religious law.

LANGUAGE.

The Bhuiyas speak a dialect of Uriya, mispronunciation and usage having corrupted some of the Uriya words beyond recognition. At present their speech is full of exclamations and questions. The sentences are simple and short. Their voice is hollow and deep, and lisping is prevalent. Whether they ever had a distinct language of their own, I cannot say; but of this I am certain, that, if they had, it must have been at a very early period, as no trace of foreign words is to be found in their limited vocabulary of Uriya. Neither does tradition say that they had a language of their own.

CUSTOMS AND HABITS.

The Bhuiya seldom marries in the same village which he inhabits, as he is generally connected with the villagers, but selects his bride from a neighbouring village.*

The love for dancing is inherent among this wild tribe, and almost the whole village join in it, old age alone preventing the seniors joining. The minor villages all flock to the larger ones for the dance, and no less than fifty or sixty persons engage in it. The men and women stand confronting each other, forming a wedge, the best dancers being placed at the point of the wedge. The men play on the drums and sing songs, while the whole company dance, moving in a circle, having as its pivot the point referred to. The women dance in a stooping posture, and use their "*saree*" as a veil, while they all join hands. The men stoop as well, at times, but this is only when some delicate sentences are being recited, as if to make the passage more impressive. The dance combines three steps forward and three backward, the company resembling a pendulum circling on its axis. This is the favourite dance, though, to vary the monotony, other dances are resorted to, in imitation of the tiger, the snake and the bird. The tiger dance is practised on all fours, and the snake dance flat on the face. The old men and women sit round the company, encouraging and criticising the dancers.

The Bhuiyas always camp in a body, apart from other castes. Any alteration or change, however trifling, requires

* The horror of incest prevails among them, and they are careful, in contracting marriages, that they do not form an alliance that may be considered incestuous. However, there is no restriction against intermarriages in the same sect or phratry, or even when the parties bear the same name, but marital relations beyond the sect are considered anomalous and the offending persons are outcasted.

a meeting, and so engrained is this custom that the demand for rent from any individual generally calls forth the remark, "When others pay, I shall do so." If the rent-collector induces one village to pay, he has no further difficulty. As the news spreads, the rest will bring in their rent without being summoned.

In their habits the Bhuiyas are comparatively cleanly, and the traveller does not notice the foul odours prevalent in Hindu villages.

Though the "Desh" Bhuiyas of the pergunnahs claim to be of the same clan as the "Paharia Desh" Bhuiyas, nevertheless they do not intermarry among them, the former having adopted some of the Hindu customs, for instance, having a professional barber to shave them, and the washerman to clean their clothes on certain religious occasions, while the latter do not.

The Bhuiya has no idea of time or its value, and, when summoned to appear on a certain date, frequently puts in his appearance a day or two after it, the reply given when they are reprimanded being: "I had work on that day; wont to-day do as well?"

Long custom demands that, if one party of men sing a song, or rather rhyme, the opposite party of women should reply to it. This repartee means each party expressing their thoughts in song, and the custom is so appreciated that an interchange of musical rhymes will last for hours, sometimes extending over a day, a short respite being allowed during meal-times. This liberty is allowed during the weeding and transplanting of the paddy, especially as at that time large bodies of persons come for hire to the various villages. In the Bhuiya Pirs, where there is very little wet cultivation, rhymes are indulged in when parties meet by accident or by invitation. There is no end of rehearsing and tutoring to enable them to compete, and in not a few instances the women come off victorious.

MARRIAGE CUSTOMS.

Prior to any thought of matrimony, it is essential that the parties should have attained manhood and womanhood, and that there should be no coercion used by parents or others, though parents and friends sometimes give advice.

Various forms of betrothal are adopted to suit the fancy of the young couples. For instance, at the every day dance, a young man is at liberty suddenly to seize the hand of the girl he loves and run off into some hiding place for two or three days; but the concealment is an open secret. After the expiration of that period, the parents of the bride go to the relations of the bridegroom and fix the dowry. It is allowable

for a man, when out in the forest with maidens of villages, gathering in fruit or attending to their daily wants, to place a flower in the hair of the girl he has selected to be his partner, and this is considered an engagement, and no other man makes a claim for her. The engagement emblem is usually a white flower with a sweet scent, growing in bunches which, when in full blossom, give the tree the appearance of being covered with cotton. This flower is very common in the forests, which may account for its use, as the women also string them together and wear them encircling the hair ; but certain other flowers, of a red colour, are resorted to when this species is not in flower, as a token of an engagement. On some occasions, the lover walks off with a girl whom he has asked to share his home, from a bevy of young girls in the forest, whereon the remainder return to the village to which the girl belongs, and, calling the elders of the village, say : " While we were out to-day in the forest, a tiger carried off one of our sisters." Thereupon the whole village will turn out armed, as if they really intended combating with the King of the forest, and are led by the maidens to the spot of the occurrence. The villagers then pretend to have seen the signs of the tiger, and to drag off the body, the cloth lying on the ground, an arm here, a leg there, and so on till they reach the house in the village which the young man occupies ; and ultimately, as if to consummate the whole farce, they will say : " Here is the necklace, the brute must be lying up here." With a shout, they will then demand his blood, and call the senior members of the village to give up the foolish lad who dared to take the liberty of carrying off one of their girls for vengeance ; but the seniors will argue, and plead that, though he has committed an offence, yet the union must be allowed ; and that they will pay blood-money and give all a feast. This will appease the feigned wrath of the avengers, and all will join in a dance to celebrate the wedding.

The search for the tiger is carried out exactly as if a tiger had killed a man, the party going to the extent of weeping for their loss, and showing an earnestness in their movements that makes his discovery a triumph.*

There is yet another system employed to gain a bride, which, perhaps, though not so unique, is more sanguinary than either of the above, and is resorted to only as a last resource. Should a young man set his heart on one of the fair sex of a village, and be unable to obtain her, owing to family quarrels, or obstinacy on the part of the girl and her relations, he will gather his male friends and lie in wait at the village stream ; and, on his fiancée coming with the women of the village for water, a rush will be made to carry her off by force and cover her flight,

while the other party will call for help and join in the recapture of the bride. The two parties carry the fight to great lengths, the conflict ending in the stronger party's favour. Many serious blows and cuts are given, and in some instances leave permanent marks. The bridegroom, having estimated the strength of the village from which he proposes to capture his bride, takes a stronger party, or resorts to strategy, and the result in most cases is in his favour, but the ceremony is not yet regarded as a victory. As long as the girl has not broken her fast in her future husband's house, she is at liberty to escape at any time, and, to prevent this, she is confined in a house, and there all the persuasion and cunning of the women of the village are employed to induce her to eat something. This usually happens in a few hours, or, in obstinate cases, a day or two, after which she is set free and cannot run away to her village, as she is certain to be returned.

These customs are only the preliminary steps adopted to get the woman under control or obtain her sanction, but the marriage is not consummated till the "Desh" have been fed and drunk as often as the party can afford it. The ceremony itself is carried on exclusively by the women, and the village priest, who administers a benediction with the sanction of his gods. The bride and bridegroom are clothed in new garments, and turmeric and water are sprinkled on them, while they are made to sit on a common yoke, the father or the nearest male relative of the bride giving a coin to his daughter, repeating at the time the words: "I have given you all my wealth, I hope you will profit by it and be faithful to your husband." The idea of making the couple sit on a yoke is, that they have practically been joined as man and wife. Till this ceremony is performed, no marriage is completed. Before the couple can settle in their new home, the village priest must sanctify the building, and place there in an earthen pot, inverted, under which are supposed to be the spirits of their forefathers, which must be worshipped daily by the pair. Dowries are also settled on the bride, and in the case of a rich man amount to many head of cattle. The ceremony takes place in the husband's house, and not, as the Hindu custom is, in that of the bride.

Among the "Desh" Bhuiyas who have come into contact with Hindus of the plains, or wish to assume airs, the parents arrange the marriage for the young couple; but this seldom occurs, the majority resorting to the time-honoured privilege allowed them of capturing or winning their bride.

The marriage tie can be broken should the parties find that they are not suitable to each other, and adultery operates "*ipso facto*" as a divorce of the faithless wife, while the husband is outcasted till he feasts the bride. If the woman should

have committed the act with a Bhuiya, the matter ends with his making her his wife, but, should he belong to another caste, the woman is outcasted as well.

Chastity is not looked upon by the Bhuiyas as a virtue, though, should matters go too far, the elders of the village, both men and women, will hold a "punchayet," in the presence of the maidens and young men, and ask the girl who the seducer was, and make her over to him, saying: "It was our fault, in not seeing the couple married before, and it is the way of all flesh."

The Bhuiyas, however, faithfully observe the marriage bond, and adultery and divorce are seldom heard of; the wife serves her husband while he eats; helps him in the homestead, and, when out-door labour presses, accompanies him to his fields. Polygamy and widow-marriage are admitted, but seldom availed of.

CUSTOMS AT BIRTH AND DEATH.

The customs that prevail at the birth of a child are simple, consisting of a feast to the relations and friends of the parents on the tenth day, which purifies the mother and her household. Among the "Desh" Bhuiyas of the pergunnahs, who have learnt some of the Hindu rites, they get the barber to shave them and the washerman to wash all their clothes, but among the same tribe in the Bhuiya Pirs, one of the Bhuiyas who is skilled with a razor (locally made) performs the duties of barber. They do not consider the washing of clothes essential. Should the unfortunate mother die before delivery, the circumstance is looked upon as a sin, absolution from which is only gained by extricating the embryo from the corpse, and burning the bodies, one on each side of a hill-stream. This precaution prevents the deceased mother from becoming a witch and using her evil influence among the women and children of the village, as no spirit can cross a stream, and the mother cannot become a witch, before union with her child.

The last incident of human life remains. On the death of an inconspicuous Bhuiya, his kinsmen quickly bury the body in the forest, and, on the tenth day, give a feast to the hamlet. But, in the event of a Patriarch or leading Bhuiya dying, the bereaved will spread over the country-side and summon all the inhabitants of the various villages to the burial of the great man. During the nine days that intervene before the feast, the female relations of the deceased show great grief, uttering a low moaning dirge that, once heard, can never be forgotten. On the tenth day the "Desh" assemble, and feast, and nominate or choose a successor, who is generally the eldest son of the late chief.

With the one exception of burning the body of pregnant women, the Bhuiya always bury the dead, taking the trouble to give the deceased a decent burial, the grave being not the flimsy pretence of the Hindu, but a deep and suitable one. Thorns are placed on the grave to prevent wild animals from exhuming the body. If there is a stream in the jungle, its banks are generally chosen for the cemetery, as all streams lead to the holy river, the Byturnee—the Hindu Styx, which rises at the foot of their hills.

After the death festival, and on the same day, the relatives of the deceased gather under the nearest of kin and perform the ceremony of reconciling the deceased with the family ancestral god. All will enter the house and sit in rows; the kinsman referred to will then offer as a sacrifice a he-goat, spilling blood at the foot of the chatty (described fully in another section). All will then raise their voices, and call upon the departed ancestors to receive their late relative. In the event of a child dying, a fowl takes the place of the goat. In all instances blood is spilt, and the water that is placed near the god is then taken and sprinkled over all the relatives, which purifies them. Only in two cases is this ceremony dispensed with—in the event of a woman dying while pregnant, and when a person is afflicted with leprosy. In neither of these cases can the deceased find a place among the ancestral spirits. Leprosy is considered to be unclean and a visitation of the deity for some terrible offence committed by the unfortunate invalid; the afflicted person being excluded from the village, and having a separate house and a bathing ghât set apart for him in the stream below the ghât used by the inhabitants.

ARMS.

The Bhuiyas employ as their principal instruments of defence, the bow and arrow, with which they can shoot accurately. Some of the arrow-heads inflict ghastly wounds. The bow is made of a good male bamboo, or some pliable wood, and, instead of fibre for its string, has a thin strip of the outside of a bamboo, attached to the bow by a thong. The iron arrow-head gives place to a wooden one for birds and small game. Coupled with the bow and arrow is the two-handed axe. No Bhuiya is without these weapons; nor does he go into the jungle without his bow and arrow and axe. The favourite bow-shot is to hit an animal behind the shoulder, and with sufficient force to bury nearly the entire arrow in the victim. Birds are generally shot at night. The roosting tree is observed during the day, and at dusk the hunter approaches the tree quietly and lights a large fire, which dazzles the birds and affords light for him to mark them.

Besides the bow and arrow and axe, he uses a curved sword, a sling, and a curiously made ring of iron, from six to eight inches in diameter, having its outer edge sharpened, with singular effect and dexterity. The mode of using it is curious, as the distance is judged by the eye, and the ring is swung rapidly round the index finger, which forms the axis, and released. I have seen a Bhuiya cut in two a *sal* sappling two inches thick at a distance of 40 yards. He has no shield, but guards, when occasion arises, with the handle of his axe.

Prior to a person going out hunting, he generally swings his bow between the palm of his hand and the ground, standing in an upright posture, and allows it to fall to the ground, considering the direction in which it falls auspicious. They used to adopt this custom during the late rebellion, before setting out on the war-path, preferring to decide an important matter by the law of gravitation rather than by the verdict of reason. A few have in their possession old match-locks, but are indifferent shots with them. Besides arms, they have certain musical instruments that are used at festivals, and when on the war-path, or at the marriage of the patriarch. The horn is sounded only as a call to arms, or a warning, and at the marriage of the patriarch, while the drums of one sort are played on at the dance and at all festivals, the favourite drum being something after the fashion of a tambourine, but much larger.

THE VILLAGE.

The hamlet usually consists of two rows of houses, forming a broad street, the idea being originally that of making the village into a primitive fortification in case of attack, or for the sake of security from wild animals. The village lies embedded in a leafy grove of jack fruit, at the foot of finely-wooded hills, or crowns some small green knoll in the rich valleys, well-raised above flood level. The Bhuiya generally displays unusual taste in choosing the site of his habitation, not forgetting to place the village in the neighbourhood of one of the many hill-streams that flow through his country. Almost everywhere the Padhan of the village and the old residents have their houses located in the very centre of the village, close to the large jack trees, which have been dedicated to their village god. Besides this, the Bhuiya is excessively fond of jack fruit, which he consumes when green and ripe, and, should a site be unsuitable for the growth of this valuable product, they will desert it for more fertile soil.

On the outskirts of the village live the low castes, Pans and Kols chiefly, who perform all servile duties, and live in separate rows of huts assigned them by the Bhuiyas. These despised classes have from time immemorial formed an essential element in the aboriginal village community. It would be considered

degradation for the Bhuiya to perform the work they are engaged in. Nor can he eat food from their hands.

Close to the Padhan's shed is the village Durbar, or "Mundup" house, under a spreading tree. Here all the bachelors sleep, and it is the guest-house of the village. The opening in front affords the dancing ground for the maidens and young men, and some of them are the largest and best situated houses in the hamlet.

In order to make the guest comfortable with as little delay as possible and give him rations, the villagers all contribute their small share of rice and pulse to a general fund; and this, for convenience, is made into bundles, and suspended to the Durbar house roof for immediate use. From this stock the women give the stranger his daily allowance.

Each man has his own little estate, and his heart beats with the independence which, all the wide world over, nerves the arms of the free-holder. Every Bhuiya tills his own land, and heartily scorns all who engage in any occupation save agriculture and hunting. From his boyhood, the Bhuiya learns to regard himself as a freeman, sprung from a headstrong race. His business is agriculture; his pastime are hunting and dancing. During seed time and harvest, he rises at dawn and eats a hasty meal of pulse or herbs. Before the dew has disappeared from the ground, he drives his oxen a-field and toils without a break till a few hours before dusk. If engaged in the hard work of clearing jungle, he rests at noon and has dinner. But, when following the plough, he works on till the afternoon, when he bathes in the nearest stream, and at dusk returns home to a hearty dish of rice mingled with fruit and bulbs, and then off to the dancing pavilion.

In no village do you see a tank, as the Bhuiyas regard it as part of their religion not to excavate. In the large flourishing villages of the Dundopat Bhuiyas, a very occasional tank is seen, but this has been dug by hired foreign labourers.

The men and women have separate bathing ghats, as the latter always bathe nude. The system is strictly guarded, and should a man be led by circumstances unavoidably in that direction, he is bound to give a shout as a warning, and any infringement of the rule is resented.

Most villages have a little shed for the village god surrounded by one or two lofty trees. The large and important villages have schools for their benefit; but they are looked upon as a useless institution and a nuisance. This can well be imagined. The hand that has hardly learnt the use of the plough cannot be expected to wield the pen. The following fact will give an idea of what the Bhuiya thinks of learning. If the young son attending the school is unable to be present,

owing to some domestic occurrence, the father comes to the school and offers to put in the necessary hours there instead of his son.

Besides the State official, the Padhan, in a village, there are other hereditary officials nominated by the tribe to perform the social duties. For collection of rent and the working of the village, we have a *soi disant* naik, literally an Assistant of the Padhan, but not recognized by the State. The priest of the village is called the "Deori" and has the keeping of all the gods ; as representative of the maidens of the village there, is the "Ghar Mangi," who settles all love affairs and disputes, regulates the dancing ceremony, and lays all charges and complaints before the village council.

Among the Bhuiyas the principle of the family is supreme. Hamlets exist, but the social nexus is not that of the village, but that of the household. The two links in their organization are the family and the sept.

Each sept consists of a number of families laying claim to the same progenitor, while, in each family, absolute authority rests with the house father. Thus the sons have no property during the life-time of their father, and all the male children, with their wives and descendants, continue to share the father's meals, prepared by the common mother, who is assisted in her cooking by the wives of her sons. As the tribes form a federal group, acknowledging a head, so the individual families unite into minor village communities under a village father, who is their head.

Side by side with this principle of the family, we observe another system at work in the social structure of the Bhuiyas. The authority of the Patriarch forms the nucleus of the whole, but it is modified by an elective and representative element. If unhappily the natural heir to the office has none of the qualifications required for it, the Bhuiya avoids the difficulty by an ingenious compromise, which makes the title hereditary in the family, but elective as to person. The eldest son of the Patriarch has a natural title to the position, but if he is unfit for the duties, he makes way for a younger brother or male relation.

The two essentials being personal fitness and birth within the recognized family, there is no formal or fixed election for the post ; but, if one is deemed unsuitable, he is silently passed over, as if by the permission of the family. The offices of the various headmen in a village are considered sacred, as the principle of family and of election, combined with religious feeling, renders them so. There is no salary or official privilege attached to these posts, other than the respect and veneration which belongs to the incumbents as

leaders. They are considered the heads of a village in which every member is of equal rank,—the first among equals. They are in no respect raised above the community, whose interest, social customs, tradition and mode of livelihood they share. They have no trace of state, however rude ; no separate house or stronghold ; no retainers ; no property except their hereditary fields by which they sustain life. They receive no tribute or aid from the people, save on certain occasions a harvest offering of goodwill, or the lion's share in the " bag " of the hunt. The most valuable return they receive for these offices is enjoyment of the place of dignity at all public and private functions, and these are the most agreeable incidents of the situation. They cannot transact any affairs of material importance without calling in the village elders ; at home they are the protectors of public decorum and the arbiters of individual wrongs, conciliating disputes and administering justice.

A stolen article must be returned, or its equivalent paid at the village council, the principle of restitution being supreme. This leniency extends only to the first offence. A repetition of the crime is dealt with, not as an offence against property or against the individual sufferer, but as a wrong committed upon the whole society, the criminal being generally looked upon as disgraced, and his life made a burden to him. If a person should be wounded in a squabble, a council is assembled to conciliate the aggrieved parties, and, after hearing both sides, admonishes them. Each then selects a brand from a heap of lighted fagots, and, to complete the reconciliation, extinguishes the fire by spitting on the lighted end.

On the rare occasions on which the guilty persons are punished by the State Courts, on the villagers becoming informers, it does not prevent them from disposing of the case at their Council, as they hold that the punishment inflicted by the State is for its satisfaction and not theirs.

The mode resorted to in calling an assembly of the village elders is simple, yet quaint. One of the office-bearers of the hamlet, standing at the " Mundup " house, gives three loud echoing shouts, which are promptly obeyed. No other member of the community can call the elders ; in fact, so much are these offices looked upon as sacred, that the belief is that the usurper is certain to call the wrath of the village deities on his head, and fall a victim to some wild animal or reptile.

As society, disputes, religious festivities and other minor matters, are regulated by the Council, the calls to meetings are frequent, and the voices of the office-bearers naturally are easily recognized.

REVENUE.

The Bhuiyas are made to pay rent, strictly speaking a surveillance, in coin and kind. There seems to have been no fixed revenue prior to the settlement enforced by Colonel (then Captain) Sir James Johnson and the Government political officer after the rebellion in 1868. But Colonel Johnson, very wisely, fixed the house-tax at annas 4 per house, and annas 8 for the holder of a plough. Besides this, they are liable to the payment of anna 1 as school-fee from every house, coupled with the thatching of certain State buildings and the supplying of labour for the carriage of their chief's luggage, when on tour, free of cost. This duty seems to have been enforced from early ages; hence their emblem of signature, the "*bangy*." This settlement was drawn up and sanctioned by Government for ten years, with a clause to the effect that the rates could not be altered or enhanced without the approval of Government; but unfortunately this was infringed by the present chief after Colonel Johnson's departure.

A new settlement was made among the Bhuiyas by Mr. H. P. Wylly, who was the Government Agent after the rebellion of 1893; and the rates were again fixed at annas 13 per plough and 6 annas 6 pie for a house, with the school-tax doubled, and on those villages which objected to the thatching of the State buildings, a further demand of annas 3 each was imposed. This has been carefully laid down in the printed "pottas" and leases given to the village headman.

The Bhuiya village still retains the migratory features common to the nomadic husbandry of the aboriginal tribes. When a clearing shows exhaustion, they abandon it and break new ground, changing their village sites about once in twenty years. Their agriculture depends entirely on "jooming" the hill sides, which they hold for three years. In the first year, after burning and cutting the jungle, they grow cereals, in the second year paddy, and in the last year vegetables, and occasionally some grain. It is natural that, where this mode of cultivation is allowed, the loss is something enormous, as it means the annihilation of the primeval forests. It is a common sight to see hill after hill, as one marches along, laid bare by this destructive policy.

There are in some few villages a few acres of wet cultivation maintained in a primitive way. Priority of occupation forms the only origin of right. No complicated tenures exist, every man tilling his own field, and acknowledging no landlord. In the Bhuiya land-law, as in their political organization, we find the family the basis of the structure; but the principle is modified by individual considerations. The right to the soil depends upon priority of

occupation by the village, and, within the village precincts, upon priority of cultivation by the individual. But where land is abundant, not one-tenth being appropriated, the occasion for disputes is minimized, and, by a prehistoric mutual arrangement, no man will cultivate by force land that is not his property, but only on satisfying himself at the village council that arable land is lying fallow for want of a tenant, will he bring it under cultivation.

The law of inheritance assumes that no person should possess land who cannot maintain it. Agricultural stock and landed property descend, without exception, in the male line, the sons dividing the proceeds; and, in failure of sons, the land goes to the next male of kin. The daughters have a claim on all moveable property, and the protection of their brothers, as long as they remain spinsters.

The tribe which lives under this simple law and family government, exhibits primitive virtues which more civilized people may well envy.

The fact that infringement of old rights, whether it be landed property or social custom, is regarded with so much disfavour, coupled with the strong conservatism of the Bhuiya peasant makes an innovation a dangerous matter; yet the brilliant work of the two officers mentioned has been attended with marvellous results. The former came to this State most probably without a knowledge of their language, and the other had no experience of their character; yet both of them succeeded in gaining the confidence of the Bhuiyas, by sympathising with all their quaint customs, till their names became household words among them, and they were looked upon as benefactors.

Among primitive classes, it is well known that it is not the wisdom of a policy so much as individual influence that makes difficult projects surmountable. This makes the work of the officers the more worthy of appreciation. As foreigners, they must have assumed an attitude of justice and firmness, combined with consideration and adherence to their word, as a wild tribe does not understand wavering and subtle dealings, till they eventually, in the course of a short period, won the heart of the Bhuiyas. This system of revenue and disposal of soil is prevalent among the "Paharia Desh" Bhuiyas who inhabit the tract called the Bhuiya Pirs; but the "Desh" Bhuiyas who have settled in the Dundapats, are exempted from it, and they pay rent at the prevailing rate of the State, and so have lost the simple land-law that obtains among their brethren of the Bhuiya Pirs.

Besides rent, all sections have to supply large logs once in two years for the axles of the car at the Car festival, and thick ropes, made of creepers, to drag the structure. This they do

in combination with the other castes inhabiting their pergunnahs. Until lately, they had to transport the logs at their own expense, but at present daily wages for the carriage of the logs are sanctioned.

The system of collection is simple, but sufficient for so primitive a settlement. An individual demand statement is given to the Padhan, or Headman of the village, who himself is the possessor of a "Potta" minutely detailing the claims which the State has on his village, and he on the State. The Padhan collects the house and plough tax, and hands it over to the Pir Sardar, who has been furnished with a demand statement of his Pir. The Sardar, after collecting the amount, pays it into the treasury.

The appointments of Sirdar and Padhan lie with the State, though hereditary rights and the wishes of the people are consulted, and every consideration is paid to their representations. As a badge of appointment, these men receive from the chief a strip of silk to wind round their head, which makes the title permanent, and is called the "Siropa." Both these officers receive, as compensation for their trouble, a small percentage as commission, but to this they do not attach so much importance, as will be seen from the question discussed in another part of this narrative.

The small quantity of rice they reap lasts them only a few months, though exchange of other cereals for paddy keeps the pot boiling. Rice is far from being the staple diet of the Bhuiyas, and is used only as a relish at intervals, or for feasts and festivals. Fruits and bulbs and jungle products are gathered for consumption, many being the fights between the wild animals and Bhuiyas for the rich harvest.

RELIGION.

The religion of the Bhuiyas is practically one of blood. Numerous terrible gods dwell upon the earth, in the waters and sky, each and all of whom demand certain rites of propitiation by victims. All their gods are devils who, if not appeased, will bring destruction on them; the good spirits are left alone. Their religion embraces certain sets of deities unmistakably aboriginal, combined with others of mixed and doubtful origin, and lastly some purely derived from the Hindus.

The first set number no less than ten mighty deities* who dwell in their forests and villages, the chief god being the earth god, and his son the tiger god, who was supposed to have been killed by a tiger. Coupled with the earth god is the harvest god. Next in rank are the village mother god, the water god and the deities of forests, air and rain. The god of hunting is allowed a place in the second rank, as are the ancestral gods supposed to be the

- *1. Boddum.
2. Gisari.
3. Boradipat.
4. Sentapat.
5. Byturneeapat.
6. Lucknipat.
7. Mupdulpat.
8. Mahatakorani.
9. Parial Bagia.
10. Pithnupat.

souls of the departed, and placed in each house by the village priest. The symbols of these gods are stones or logs, placed under some lofty *sāl* trees set apart for their devotion.

Though the Bhuiya Pantheon consists of native and of imported gods, yet their priesthood is confined to their tribe, and the hereditary priesthood exists among them. It is not the fact that a man bears the surname of "Deori," or priest, that entitles him to the priesthood of the village, but superior personal fitness for the office. He can intermarry among any of the Bhuiyas that belong to his tribe, and quit the office at pleasure.

Their form of oath is on a tiger-skin, holding in their hands a little earth from an ant-hill. An oath is looked upon as final. Nothing can annul an oath made on the sacred skin; and the person is bound to speak the truth, as his failing to do so will surely make him a victim of the royal beast at an early date.

Feuds cannot be considered as completely conciliated till the ceremony of extinguishing fire is performed. This has been dealt with more fully elsewhere.

Trial by ordeal is a favorite mode of decision. The Bhuiya believes that a person who can dip his hand into a boiling mixture of cow-dung and water without scalding it and take out a piece of copper, generally a coin (considered the emblem of justice), is innocent, or, if the accused party can with precision pour a mixture of milk and rice from the summit of a swaying ladder with twelve rungs, about 18 inches apart, into a circle below him, that has been sanctified, or, lastly, the most severe and dangerous ordeal, if he can carry in the palms of his hands a red hot piece of iron, about a pound in weight, having as a slight protection seven green peepul leaves between each, a fibre of a creeper (*Bauhinia Triandria* Rox.) a distance of seven paces, he cannot be guilty. The losing party, being expelled from the village, makes his abode in a isolated spot some three or four miles from the old village, or, if he prefer it, leaves his old haunts and emigrates to the plains, in the hope that the terrible scourge pronounced on him will be obliterated among his new associates.

Their religion, rude as it may seem, exercises a deep and practical influence on their lives, and public opinion exerts, among these secluded homesteads, a power which it has long lost among more civilised races. To do right and worship the village gods may seem to theologians an extremely inadequate rule of life; but no one who strictly adheres to it will ever find himself as an accused in a Court of Justice.

Their ceremony of call to arms, or gathering of the clans for any important business, resembles in its rapidity the

"fiery cross" of the Scottish clans, coupled with the quaint custom attached to the sign.

A few of the representatives meet and call themselves the "Mahadesh," the priest sanctifying the gathering, on which the fibre of a creeper (the *bauhinia triandria*, Rox.) is procured and made into a thin rope, in which three knots are tied, the first in the name of their god, the second in that of their

†1. Mahatakorani.

2. Maharaja.

3. Mahadesh.

Raja, and the third in the name of "Mahadesh."† After these knots are a certain number of small knots to represent the number of days that must elapse before the gathering; the affix "Maha" meaning great or powerful. This done, the sacred emblem is given to some young man to circulate, and he immediately departs with it to the neighbouring village, passing it on to the first man he happens to meet, who in turn is bound to carry it on without delay to the next hamlet. In a few hours this rude muster to a gathering will have travelled to every hamlet of the Bhuiyas. Sometimes more than one of these emblems are forwarded, if the distances are great.

Though the Bhuiya attends the festival of the Hindu god at the capital of the State for the "Car festival" and the "Dasahra," it is more from custom, combined with the labour they have to perform at such periods, than with a religious purpose.

Among the Bhuiyas two festivals are kept up with all religious zeal, totally distinct from any Hindu festival or custom. The first of these is in the month of February. It is called the "Magh Porai," and is without any fixed date, as the villages in the neighbourhood take it by turn to observe the ceremony, to which the remaining villagers congregate. It is on these occasions that the Bhuiyas give way to frightful debauchery and intoxication, the foulest songs and jests being essential for the propitiation of their god, painting and covering themselves with filth to give the whole scene a more debauched appearance. Women, though they do not drink, yet join freely in coarse ribaldry, especially the maidens. This ceremony continues for three days, during which all respect for blood relations and husbands is set at nought, and even sisters and brothers make indecent jokes regarding each other.

At the "Korama" festival, after the harvest, a repetition of the debauchery prevails; but the festival has an object, the joining in matrimony of two branches of the "Korama" (hence the name of the festival) tree, as king and queen. The two branches are placed in the ground, the union being looked upon as essential for a year of plenty. Snakes and birds are caught and netted; the former, after having their lips sown together, are set loose among the women, and the birds, tied

to branches, are shot at and pelted with arrows and stones. There is yet a third festival, called the "Gama Punai," taken from the Hindu festivals, when once more the savage scenes are repeated. The striking difference between the Bhuiya feasts and any Hindu carnival is that there is no fixed date, though there is a casual limit to the days allotted for them, extending in some instances over a month. At all these festivals, there is great feasting and drinking, with dancing galore. Many candidates for matrimony make known their feelings to their lovers on these occasions.

The hunting festival, "Okin Pardi," is one in which all the male population must join, and lasts for two days. Each village has its own "beats," and, should a wounded animal escape, the party (who are born trackers) will follow it with deadly precision and secure it, no matter what the distance. All the spoil is carried to the Padhan of the village, who gives the successful hunters pieces of cloth, varying in length according to the nature of the dangerous animal they have shot, six yards being considered a good price for the slaying of a tiger. The women perform the ceremony of washing the feet of successful shots, and all rejoice at the day's work over the flesh-pots. The lion's share of the flesh and the skin go to the village headmen. Should the hunters hear of one of their wounded animals falling a victim to the arrow of another village, and they conceal the fact, it promptly becomes a dispute to be settled by the "Desh." These privileges are carefully watched, any infringement of the rules being considered a serious offence.

All illnesses are considered visitations of some terrible deity, which must be instantly propitiated. There are no specific medicines used, but what the "Deori," after consulting with the gods, directs, ending usually in the sprinkling of water on the invalid.

The cow is regarded as sacred, and its slaughter or consumption is considered an offence to out-caste a Bhuiya. Though they employ her in the cultivation of their fields with bullocks, the cow is never milked; nor will a Bhuiya drink milk.

§ ASSIMILATION.

At first sight it might seem probable that this wild tribe must gradually die out with the advance of civilization; but, on considering the following points, the reader will judge for himself that such is not likely to be the fate of this interesting people, though all their prehistoric customs may pass away under the influence of civilization.

When Gwalas and other castes were imported into their mountain fastnesses for the nurturing of the young king who tradition says, was stolen from the semi-independent State of

Mourbhunj, it was solely with the view of their becoming domestic servants of the lad ; but in time these castes, having imbibed many of the Bhuiya customs and having settled villages among them, were allowed, though seldom, to intermarry with the Bhuiyas. This assimilation is still countenanced, and I have, when on tour, seen marriages between Gwalas and Bhuiyas. Gwalas, too, have been known to keep Bhuiya women as concubines, their offspring in some instances calling themselves Bhuiyas. Where this custom is allowed, it is an impossibility for the tribe to die out ; in fact I am told that the Bhuiya tribe have increased enormously, and from this cause have been forced to emigrate from their old homes in the Bhuiya Pirs to the plains and other surrounding alluvial hill-tracts. It is natural that, where assimilation is allowed, the tribe should increase.

As a further proof that assimilation is allowed, I venture to put forward these facts, and leave the careful reader to draw his own conclusions.

The Bhuiyas have many surnames, the chief among them being "Naik," but, among many of the other names, foreign surnames can be detected, though in some instances the word has been distorted by usage and false pronunciation. Thus Prodhan, the Gwala surname, they have turned into Padhan ; the title Pan into Pahan ; Mahanty into Manty ; while other surnames have merged into a hereditary title, originating from the service they performed to their early chiefs, for instance, Karji, Kotai, Mullick, Muntri, and a host of other names. Where intermarriage has taken place, the straight hair of the Gwala and other castes is detected, while the features have an Aryan look, especially the aspect and bridge of the nose.

The device of giving a person a nick-name, to distinguish him from some one else of the same name is prevalent among the Bhuiyas ; and even in the case of a new settler in the village, they affix the name of the village he has left to his proper name, as an example of which we have "Kado Kolia" Sahib Naik, the first word being the name of a large village in the hills.

The most trivial event happening in a village on the day of a child's birth will give the parents an opening for a name. If a European accidentally passes through or camps at the village, the child is promptly christened, Sahib, or Gora, as his Christian name ; or if it happen that a Musulman, or a dealer, a peon, or a constable, travels by, they will take advantage of the circumstance and name the child respectively Pattan, Mahajan, Chuprassie and Sipahi. Even the anniversary of some festival will give rise to a name, such as "Sonia" (the first day of the Hindu new year), or "Rujo" and "Dasera."

GENERAL REMARKS.

The Bhuiyas appear to have passed the first stage of wild life—hunting. Though it is still an occupation much esteemed among them, yet no one lives by it exclusively at this day. The second and third stages, of nomadic husbandry and agriculture, exist among them; but only a small section has adopted the last stage, which is more a compound of the second than pure agriculture. Under a well-ordered Government, no doubt, the second will be rapidly abandoned for the agricultural stage. The mode of cultivation is exceedingly simple and primitive, and almost identical with that of other wild tribes, though they are widely separated from, and have no connection with, each other. It is known among them as "Dhaihi" cultivation. Abundance of virgin soil being around them, they are continually moving about, from choice, carrying their herds and flocks with them; in fact it is imperative on them to do so, owing to the general scantiness of the food-grains raised by them.

The country abounds with game and fruit, and these form additional articles of food for them, and make them practically independent of their crops in unfavourable seasons. The jungles abound, moreover, with tigers, leopards, and other dangerous animals, making it a matter of necessity to the Bhuiyas to acquire the art of killing them.

Of themselves, they have never sought at any time to cultivate the acquaintance of their neighbours, preferring to remain in barbarism in the remote country selected by their ancestors, and thriving best in that locality where no other human being could have existed. The country is thinly populated, and the Bhuiyas have few children. But they are robust and healthy everywhere, the only explanation the result admits of being that they have become accustomed to live and flourish on the noxious exhalations they breathe.

The country is little visited by strangers. Every man makes his own house, conducts his own agriculture, and brews his own beer, which makes them still more independent of foreigners. Mahajuns do, however, move among the Bhuiyas during the cold weather months, when the country is healthiest.

No more suitable system could be adopted than the mode fixed at present for the realization of the revenue, though perhaps it would be better if payment in kind and certain labour were commuted for money payment. It would be more satisfactory, and prevent friction with the authorities. Patience would be required, and every opportunity should be given to discuss the system with the Bhuiyas, and, once they were shown the benefit that would accrue from such an arrangement, they would accept the change. No lasting result can be attained

by making the Bhuiya swear allegiance to his chief, and expecting him to abide by his oath. Remove the cause of contention, and there will be no need of administering vows. Thus quieted, peaceful occupations could be taught them, and education introduced on a liberal footing, which would induce habitual rovers and hunters to settle down as cultivators, and to colonize their own hill-sides.

Their independent character and love of freedom have been regarded as disloyalty, but we cannot judge them by the same standard that is observed in the plains. Their truthfulness and honesty, at least in their dealings with each other, is remarkable. Their right to the soil appropriated by them they consider unquestionable. The Bhuiya says: "I am the proprietor of the land." But this is only an assertion of right against their chief; no conflict arises among themselves on this account. Crops are raised and cut without contention. The small granaries are left unprotected and unsecured, as no one thinks of appropriating what does not belong to him.

A rude respect for woman is seen among them; yet, in their festivals, they indulge in debauchery and obscene language among the sexes, and this has contributed to their degradation. At the same time private morals are so carefully watched over, that unmarried boys and girls of both sexes are kept apart at night, not only from each other, but even from the married members of their own families, lest there should be any lapse of virtue within the family circle.

The Bhuiyas have a very inadequate idea of God, though they admit His existence, and the existence of the soul in futurity. These notions on religion are partly borrowed from the Hindus, and modified to suit themselves.

The rites at births, marriages and deaths, are all observed and followed with fidelity, and there is nothing revolting or degrading in them.

D. A. MACMILLAN.

KEONJHUR,
Orissa.

ART. VIII.—UNIVERSITIES IN BELGIUM.

I.

THE hospitality shown in Belgium to British students appears to justify a short notice of the Belgian Universities with special reference to the Free University of the capital. At the last annual examination of which the records are forthcoming, out of 996 students who presented themselves for the Entrance examination, 693 passed, nearly half with honours. Of those who aspired to the diploma of M. D., 121 were foreigners, of whom more than sixty per cent. were British subjects, including nine natives of India. The degree stands high in the estimation of the medical world, many of the first physicians of the day—like Dr. Robson Roose—bearing it as their professional qualification. But, although it is plain that such a cosmopolitan system has more than a merely local interest, it is at the same time true that there is something in the constitution of the four Belgian places of study which is closely related to the circumstances of the little kingdom.

The population of Belgium, though not fused, is composite ; the Flemings in the north-west are Teutonic by race and Catholic in creed, the Walloons on the south-east being more or less French in blood and manners ; while the people of Brussels, long inured to the society of foreigners, and speaking both French and Flemish, are a special community, cosmopolitan and cultivated. It was out of such determining conditions that the different Universities arose, in the first and second quarters of the nineteenth century : the beginning being made by the House of Orange, to whose kingdom the country was annexed by the Congress of Vienna.

The two State Universities thus constituted are at Ghent and Liège, the former in the country of the Flemings, the latter in that of the Walloons. The buildings at Ghent comprise an Aula, or Theatre, built in the style of the Pantheon, and capable of accommodating nearly two thousand persons, besides schools of arts and of engineering ; the students average nearly one thousand in number, and are mostly preparing for the "Ponts et Chaussées," or—as would be said in India—the Department of Public Works. In the Walloon province, at the other end of the country, is the University of Liège, with 1,400 students and a large staff of teachers, amongst whom have been the geologist, André Dumont, and the famous economist, Emile de Laveleye. Liège is not distinguished by architectural effort, but there is a large library, and the natural history museum contains interesting collections of fossils ; new build-

ings have also been erected on the site of the original Aula. The teaching is particularly distinguished by the success of its graduates in mining-engineering; and there is also a training school for teachers, or *Ecole normale des Humanités*.

These two institutions are all that the State has continued to maintain; but private enterprise has founded two others, the Catholic University of Louvain and the Free University of Brussels already mentioned. The former of these is a modern reconstruction of the celebrated Divinity School of the Middle Ages, which was suppressed by the French Directory in 1797. It was established, in its present form, in 1817; the Belgian Bishops being unwilling to leave the education of the higher kind in the secular hands of the State. Consequently, though comprising the usual Five Faculties, it has always been especially the school of theology and of law, and is largely attended by scions of old families adhering to orthodox opinions. True to its original principles, the University attracts young men from a distance by providing for them board and lodging; and it may be regarded as the central focus of all that is conservative in Church and State.

Last in point of date comes the educational machinery of the capital. The necessity for a special organising of the higher education does not appear to have been strongly felt so long as Belgium continued to be a province of the Netherlands, a sort of Dutch Ireland, with two public places of instruction and graduation under Government control, supplemented by a voluntary institution conducted in the special interests of orthodoxy. The Free University of Brussels originated in the stir of minds engendered by the Revolution of 1830; and it owes its inception to the energy of M. Théodore Verhaegen. The first and fundamental idea was to create a self-governing academy of the widest instruction, based on voluntary effort, and governed by a body chosen by the benefactors out of their own number. Little by little, the members of the teaching corps were admitted to the administration, thus approaching more to the old conception of a University as a corporation of masters, doctors, or professors. The four faculties are located in a fine building belonging to the Town Council, which has always taken an intelligent interest in the undertaking. The teaching is distributed into faculties, from which theology is excluded; and a Polytechnic school is affiliated: the students have also the use of a laboratory, and a magnificent museum of scientific objects is at their disposal in the Parc Léopold, some distance away.

Unfortunately, the University, not being incorporated by any Royal or Parliamentary Charter, does not enjoy what is known as "civil personality." Any money that may come into

possession of the governing body can doubtless be locked up in a safe, of which some high official can keep the key. That is so; but the administrators cannot sue or be sued, receive bequests, or hold real property in a corporate character. They occupy the University buildings as long as the municipal authorities are in sympathy with their objects and principles. But political views are mutable; and a Catholic majority, on the one hand, or a socialist majority on the other, might evict the Free University and turn the buildings into a church or a music hall.

The Free University thus constituted was opened in 1834, soon after the final establishment of the Kingdom of Belgium, on liberal principles and under the guarantee of Europe. As implied above, it was to be an institution, on the French and German models, free of all control, whether from State or Church, and therefore entitled "*Université Libre*," or Free University, as it is still denominated. The Government was vested in councillors coöpted from among the original founders and benefactors. The scheme has endured and done good work, with occasional modifications of detail, for more than two generations. Men of something more than mere local distinction have directed the fortunes of the University; the Professors of the various Faculties have been gradually associated in the administration; and distinguished pupils have been launched into life, of various nationalities and of both sexes. In comparing Brussels with an Indian University, we must make allowances for national and political peculiarities; and we must remember that its object is tuition, no less than graduation.

The date of its foundation, no less than the express language of the founders, must be taken into consideration, if we would realise the full intention of the undertaking. The period which immediately followed the fall of Napoleon Bonaparte was marked by the prevalence of a sort of middle-class Liberalism, of which a prominent feature was opposition to Ultramontane clericalism. No sooner, therefore, had the Belgian Bishops adopted the buildings at Louvain for the purposes of the Church, than a movement began for the propagation of secular knowledge. The Prelates had announced that they aspired to "lay bare heresies and innovating errors, and to procure the repudiation of all opinions not emanating from the Holy See." Verhaegen and his friends replied that this was a scheme of education worthy of the Dark Ages, to oppose which they proposed the establishment of what they proposed to call "*The Free University of Belgium*:" but the last word was, ere long, altered to "*Brussels*." The active participation of the city was perhaps a factor in this alteration: which may have been

further recommended by the consideration that, besides the clerical institution just described, Belgium had already its two State Universities in full working order.

Since the date of its opening, the Free University has progressed in distinction and usefulness, especially in the teaching of surgical and medical practice, while attracting students from many distant countries, including England, India and America. Renouncing the ties of party, it has held aloft the torch of knowledge ; it was once somewhat in advance of average Belgian opinion, but it has animated popular aspirations, until it has obtained its reward in a somewhat unwelcome shape, being accused by the more excitable of lagging in the rear. As already observed, no charter of incorporation has ever been obtained ; yet Parliament has from time to time interposed in respect of the scheme of instruction, as also for the appointment of examiners, and for regulating the conduct of examinations. The University building is imposing in appearance ; nevertheless objections have been heard against the situation—which is in an old part of the town called Rue des Sols—and the interior is both gloomy and somewhat inconvenient. Such as it is, however, the academical authorities have probably made up their minds that they are not likely soon to get better accommodation ; though it must be admitted that the great distance of the collections and laboratories in the *Pare Léopold* is a serious inconvenience. But these matters belong to the system of tuition in the Medical Faculty and to the conditions of student-life.

For the moment let us consider, first, the chief characteristics of the Free University as a graduating body, and note the machinery that it possesses for hall-marking the attainments of young men who come under its scrutiny and the afforded proofs of their industry and skill.

The system aims at combining economy with due efficiency, and is well adapted for that end. The students who succeed in satisfying the examiners in the final ordeal obtain the diploma of "Doctor," and are then entitled either to practise in their respective directions or to become what in French is called "*Agrégé*," practically corresponding to the position of the "*Regents*" who formed the nucleus of the original University corporations of the Middle Ages. An *Agrégé* is a sort of supplementary, or potential, Tutor, without salary, but empowered to teach and vote in the Faculty to which he may belong. Of these Faculties there are five ;—Philosophy and letters ; Law ; Science ; Medicine, and applied Science ; each Faculty being, in effect, composed of its professors and the attached *Agrégés*. None of these persons are allowed to give instruction to any but matriculated students, though, under

recent arrangements, they often give "extension" lectures, even in the halls of the University. In one point the Belgian system is unique: there is no Bachelor's degree, a peculiarity as much deplored by friends as it may be criticised by cavillers, and for the existence of which no substantial reason has been known to be assigned. Every "candidate"—of which term a word will be said presently—has a right to present himself with an original treatise before the president of his Faculty; he will then claim to undergo a public examination before the members, and to sustain and debate upon the subject of his treatise. If successful, he receives a Doctor's diploma in the respective Faculty, after holding which for two years he may apply to be enrolled as "special Doctor" and *Agrégé*. But otherwise there is no half-way house between becoming a candidate and the full degree, the inconvenience of which is acknowledged by many who are interested in the matter. Among the young men who attend a Belgian University there must be many who have no ambition to become Doctors or *Agrégés*, yet to whom a lower degree would be of considerable utility, enabling them to seek tuitional and other employment outside the University walls.

These matters are, in point of fact, regulated by the State, in what is called "The Law of 10th April 1890"; by which it was determined that there should, in Belgium, be only two degrees, that of candidate and that of Doctor. What the doctorate implies, we have already seen. To become a candidate, in one of the higher subjects, the student must first obtain the grade in one of the lower. Thus, the Candidate in Law must have qualified in letters: for admission to the doctorate, he will thus have had to pass as a candidate, not once, but twice. Some remaining details of the graduating will fall to be more appropriately dealt with when we come to the subject of student life, and consider it from that point of view.

In the meanwhile, let it be noted that the constitution of all the existing Belgian Universities is so far of a common and uniform type that it rests upon a complicated structure that has grown up from time to time, rather than upon any distinct or conscious logical conception. Regulated more by the needs of the passing hour than by any minutely framed scheme, these Academies—and especially the Free University of Brussels—must be regarded as depending on the mutual good-will and co-operation of various bodies; the Professors, *Agrégés*, and the students themselves: the whole being organised under the Statutes of each based upon the Law of 1890, cited in a previous paragraph. In the case of Brussels each Faculty sends a delegate to the superior Council of the University; where the *Agrégés* also have a representative. It is not easy to explain the

difference between the duties of the two bodies between which the administration is divided, for both exercise very similar functions, and many of the members of one have seats at the other. It may, however, be as well to notice that the executive—or “administrative”—Council is charged especially with questions concerning the higher instruction, and regulates, as supreme authority in all departments, the changes which appear from time to time requisite, either in the general interests of education or in the more particular interests of the Free University. It issues a yearly Syllabus of studies on the advice of the Faculties; and it takes into consideration reports and complaints, whether from students or teachers. In order that the Council may discharge with due efficiency all these and the like important duties, great care has been taken to provide for it a constitution such as will ensure the requisite impartiality and skill. There is also an “academic council,” which consists of the presidents of Faculties with elected delegates, its Chairman being chosen by the whole body of Professors in General Assembly. This Chairman is called “Rector,” and he sits for a year, with power of re-election for one year more. The functions of his council are consultative, the last word—as well as the first—being with the first named body, or “Council of Administration.”

The constitution of this body is as follows. The representatives of the benefactors elect seven members, two of whom, at least, must be chosen from the existing professorate: the Rector is, *ex-officio*, one of the Council, as are also the two last Rectors, with a delegate annually appointed by the Professors, another elected by former students, the Burgomaster of Brussels, and some others. The president is “Inspecting Administrator,” an officer chosen for ten years, with the solemn mission of “watching over the observance of the Statutes.” The Syllabus, the lectures, the expenses and accounts, are all under the nominal control of this exalted functionary, though it may be that the duties are mostly discharged by humbler hands. Such is the hierarchy to whose care the Government of the Free University of Brussels has been confided by the Statutes.

II.

The twofold character of the University system in Belgium resembles that of Scotland: the machinery for examination and conferring of degrees has, indeed, as we have already seen, some peculiarities, but it is combined, in each of the four, with provision for imparting a methodised instruction to matriculated, but not domiciled, students. Having described so much of the Government and administrative machinery as appeared

likely to be found interesting, we have now to glance at the disciplinary and social aspect of the Universities. In so doing, we shall continue to take our facts from the *Université Libre* of Brussels, as not only the largest and most important, but also as that which is the most attractive and useful to British students. We shall also have to consider the system of graduation, from the student's point of view.

From a beginning of 95, the numbers at Brussels have gradually risen to about 1,400, of which nearly one thousand present themselves annually for the lower test in the various faculties. Since the year 1880, the classes have been thrown open to female students, of whom a few have graduated, some with high honours. The mixture of sexes appears to be carried on without any difficulty; and it has been officially reported that the young men make it a point of honour to treat the girls "with respectful deference."

In respect of religion, the Free University is bound by its very name to maintain a strict impartiality. Nevertheless, it is evident that its advantages have enabled it to carry out its latitudinarian principles without giving offence or adopting an aggressive attitude. Catholic youths sit on the benches of the lecture-rooms side by side with Protestants, Buddhists, and Hindus; and here also (as in the mixture of sexes) the association has been free from scandal. In the early days of the University, some genuine anxiety may well have existed in the minds of Belgian parents; and the clergy were not backward in sounding a note of alarm. They spoke of "godless education," and the dangers to which young virtue was exposed in a city-life. The University of Brussels led direct to the infernal regions, and it was in itself a favourite abode of Satan, who spoke by the mouths of infidel professors and surrounded the students with all the seductions of scepticism and sin. The challenge was promptly taken up. The excellent Verhaegen, the father of the University, boldly declared, in a public speech, delivered at the autumn session of 1839, that in the first five years of the institution nothing "had happened to justify anxieties of this sort." "I ask," he said, "whether any city of Germany or France affords less danger to youth than Brussels, or whether any citizen of Brussels has had any just reproach to bring against our youths during the past five years?" As to corruption of character due to the undenominational nature of the education afforded, Verhaegen, if he were now alive, could point to the lawyers, physicians, and statesmen, not of five, but of more than sixty, years; to Anspach, Bará, De Brouckère, H. Donis, Goblet d'Alviella, Rommelaere, Tiberghien, and Van de Weyer, names honoured in their own country, and even beyond its limits, for learning and good service.

An English observer, of course, notices, not without regret, that the youths wear no academical costume, and that there is no manifestation of general association, or what in French is called "solidarity," among the students. There is, among the young men, scant appearance of common action ; no debating society, not even the gown, which elsewhere distinguishes the student where he is not rendered conspicuous—as in Germany—by other peculiarities of costume : at the most, some of the young men may be seen wearing a cap on which is an embroidered badge. But there is no such thing as a Volunteer Corps ; no Hall or Chapel ; the young men are often utter strangers to each other. A Club, however, has been recently opened for the first four Faculties, and the medical students have had, for some time past, another amongst themselves. Groups of youths who are friends, board, and even lodge, at the same houses ; the general charge being eight francs a day—say six Rupees. The experiment of what in England is called a "Hostel," an official boarding-house where the inmates can be under surveillance and discipline, was tried in 1837, but abandoned in the following year : another attempt is said to be in contemplation ; and it seems probable that a properly managed "Students' Home" may be in working order next year.

In 1849 occurrences of a somewhat serious nature were threatened ; and the whole academical system of the country was deeply, if not permanently, affected. Diplomas were thought to be obtained too easily and with no sufficient uniformity of method in Belgian Universities ; and the Government of the day deemed it a duty to scrutinise the system under which Examinations were held and degrees conferred. The result of the enquiry was a project of law for the creation of a National Board ; but the friends of the Free University, in the Chamber of Deputies, raised a strong opposition to the Bill ; fearing that it involved some sinister design upon the principle of Liberty, which was the peculiar property of their institution. A Conservative Ministry, favourable to Ultramontane Catholicism, might, so they supposed, introduce regulations and subjects which would have the effect of bending the young minds and forcing their convictions. As, however, the need of some regulation appeared undeniable, the Liberals proposed an amendment to the effect that the Board should consist of members elected by all the four Universities of Belgium on equal terms. In spite of their arguments, the Government majority naturally carried the Bill ; nor, indeed, was it wholly devoid of claims to favour. It was urged, not without show of reason, that the functions of teaching and of degree-giving were not only different, but were better left in different hands. It was, doubtless, the office of the Uni-

versities to impart instruction—each in its own fashion—and with that work the State would not interfere. But the conferring of diplomas was a concern of public policy, forming an antecedent condition essential to the exercises of certain functions affecting the general welfare. It was, in fact, an exercise of authority, which ought not to be exposed to risks from partiality, opinion or caprice. Accordingly the Bill became law for the time; and a Board, or “jury,” was constituted, holding its existence and authority from the Minister of Education, but, renewable annually, and presided over by an official not connected with any of the Universities. The members belonged to the three secular bodies, Ghent, Liege and Brussels; but the arrangement, whilst it lasted, proved by no means successful in producing uniformity, whatever incidental advantages it may have possessed. Among these must be reckoned that it drew together the Professors from distant and different seats of learning, to gather around the same table and compare notes as to the methods pursued at this and that University, and exchange views as to future reforms. But the benefits expected were not realised in full, least of all by the students. Great variations were soon observable: the value of the diplomas indeed may have been raised, but, so far as the degrees at Ghent and Liege went, the ordeals became unexpectedly and illogically hard; whereas, in the case of Brussels, it appeared, no less strangely, that the tests of the new Board were less severe than had been those in force when the studies were examined by their own Professors.

From the temporary combination thus created Louvain held aloof; and in 1856 the Bishops endeavoured to mark out and strengthen its peculiar position by an open attack upon the Free University of Brussels. Denouncing the founders of the Free University as perverters of youth, they taxed them with “having organised a conspiracy for the purpose of arresting religious progress and opened to young men a spring of incalculable woes; pouring forth poison, displaying the banner of impiety, and being the emanation of a secret Society, which wrapped itself in mystery.”

These eloquent denunciations, which were perhaps only the rhetorical expression of a preference felt by the right reverend Prelates for their own University, naturally called up Verhaegen. At Louvain, he grimly replied, history can be distorted, the teaching of science mutilated, and revelation put above truth. But Brussels had equal rights: the Free University was a temple raised by the liberal spirit of modern times, an institution unique in the world by its programme of conveying progressive discoveries without regard for persons,

privilege, or prejudice. Her instrument was reason ; her method free discussion ; her twofold object to combat unreason, and to raise gradually a standard of verified truth. In these principles he believed with a sincerity which—whether or no we approve—we shall find successful in making them the permanent policy of the University as a source of instruction. The teaching inspired by Verhaegen continues to combine criticism and construction forming a practical synthesis based on a searching and sincere analysis. In all inquiries into Belgian academical life, we must bear in mind this fundamental distinction. In the regulation of degree-giving by the State, whatever may have been its theoretical advantages, or—so long as it lasted—its practical results, each University now pursues its own methods. Ghent and Liege are schools of practical and technical instruction, maintained in the interests of the public service ; Louvain preserves a theological and political conservatism, which may have its uses as a brake on hasty progress ; Brussels has preserved, for more than sixty years, a fidelity to principles which, inspiring the beginnings of the little kingdom, have since continued to distinguish it from every other continental nation.

In 1876 the system of National Boards came up for revision and the Jury system was discontinued, after anxious debate, in which the Free University sustained the cause of liberty to which its name engaged it. Three years before a polytechnic school had been added to its original Faculties ; in doing this the Free University followed the lead of Louvain, and entered into competition with Ghent and Liege. But the innovation caused some modifications in practice, which were thought especially urgent in connection with the Jury system, as it might introduce into technical instruction a too rigorously pedantic uniformity. The ultimate result was that the Chamber adopted the determination to surrender all control over the conferring of diplomas ; preserving, however, a Committee of ratification ; “a Byzantine mechanism,” as its opponents said, by aid of which eight ex-officio gentlemen imparted their sanction to a document of whose value they were absolutely ignorant. On the whole, Brussels emerged honourably from the crisis. In the three years preceding the new law the combined Jury had granted degrees to over seventy per cent. of her alumni ; the committee of the University passed only about sixty-five in the three years which followed. In the same period Louvain increased the number of her diplomas no less than 40 per cent., while at Ghent and Liege there appeared but little contrast between the two methods. These facts point to the conclusion that the system of the Free University had been more vigilant and upright than the others.

At the same time that the State withdrew from the direct control over graduation, it admitted the Brussels alumni to a share in the scholarships, or bursaries, already open to the students elsewhere. As at present organised, these "encouragements," as they are called, consist of gold medals, prizes in books and in money, and some liberal annual exhibitions. All can be gained by the students of every Belgian University ; most of them, under certain restrictions, are open even to non-matriculated men.

Finally should be noted the very liberal hospitality of the Free University of Brussels to medical students of foreign countries. Any qualified practitioner, of whatever nationality, can matriculate at Brussels, and, on satisfying the Examiners, receive a diploma of Doctor-in-medicine. Advantage has been largely taken of this by British medical men, of whom nearly seven hundred are said to hold the Brussels degree. The examination is a reality, and involves three separate tests ; the 1st in Therapeutics, the 2nd in Surgery, the 3rd in Clinical practice ; these examinations being all held with the utmost possible publicity and lasting about twelve days. The fees aggregate £22 sterling.

All these points merit consideration by Indian parents on the look-out for a career for their sons. Brussels, as a residence for lads, presents fewer temptations to expense and idle dissipation than London ; and the Medical course is shorter and less expensive than any other of equal value and importance.

H. G. KEENE.

THE QUARTER.

THE storm and stress which characterised the period we reviewed in our last number have shown little or no sign of abatement during that which now occupies us. The African Continent has continued to be the principal scene of action, but the area of the trouble in the South has extended, and a fresh centre of disturbance has developed in the North. In the Transvaal interest has centred in the trial of the Reformers, as the Uitlander conspirators are called, at Pretoria, and in the negotiations between Mr. Chamberlain and the President. The trial ended in the conviction of Messrs. Phillips, Hammond and Farrar, Colonel Rhodes, and fifty-nine others, the first four being sentenced to death for high treason, and the rest to two years' imprisonment, to be followed by three years' banishment, and a fine of £2,000. These sentences have since been commuted, the first, provisionally, to fifteen years' imprisonment, and the second to fine, the imprisonment having been remitted, and the banishment made avoidable on certain conditions. The negotiations, as might have been anticipated from the conditions under which they have been carried on, have proved wholly abortive. But to these matters we shall presently return.

The trouble in the Transvaal has been followed by a rebellion of the Matabele against the authority of the Chartered Company, which was attended by the massacre of a large number of European settlers with their families, and, at one time, seemed not unlikely to end in the capture of Buluwayo itself, but has now been practically suppressed by the almost superhuman exertions of the settlers and the remaining forces of the Company, aided by friendly natives and volunteers.

Hardly less important than these events are the steps that have been suddenly taken by the Government to extend the southern frontier of Egypt from Wady Halfa to Akasheh, in the first instance, and ultimately, it is believed, to Dongola or its neighbourhood, a movement that is the outcome of high political considerations, and is likely to lead to further developments of magnitude, to which we shall advert later on.

In connexion with these operations, it has been determined to send a contingent of Indian troops to Suakin, primarily to relieve the Egyptian garrison in that neighbourhood; and what may probably be considered the advance guard of this force, consisting partly of Bombay and partly of Bengal troops, to

the number of between two and three thousand, has already left Bombay for that place.

The coronation of the Czar; the assassination of the Shah of Persia; a change of ministries in France, and meetings between the German Emperor and the King of Italy at Venice and the German and Austrian Emperors at Vienna, where the Triple Alliance was renewed, are among the other important events of the period under review.

The negotiations which had been entered into between the Italians and King Menelek of Abyssinia, which it was at one time thought were likely to result in an understanding, have been broken off, owing, it is believed, to the refusal of Menelek to bind himself not to accept the protection of any other European Power; and it is rumoured that an alliance has been formed between the Abyssinian sovereign and the Dervishes which, should it endure, may forebode serious trouble to both Italy and England in the near future, but is not very likely to endure, even if it has really been made. On the other hand, active hostilities seem practically to have ceased for the moment; and the Abyssinians, who have always shown themselves wanting in staying power, have retired from Adowa to Shoa. In the meantime, the Italians have inflicted a severe defeat on the Dervishes who were besieging them at Kassala and have given up all idea of abandoning that place, if they ever entertained any. But they are said to have decided, very wisely, to evacuate Adigrat and limit their territory in Erythrea to the line between Marab and Belesa.

To return to Transvaal affairs, the trial of the Reform leaders at Pretoria, apart from the verdicts, and the unexpected severity of the sentences, has been attended by a sensational and highly embarrassing incident, the prosecution having put in a series of cipher telegrams between the defendants and Dr. Jameson, on the one hand, and their co-adjutors at Capetown on the other, which not only show that Dr. Jameson's incursion into the Transvaal was the result of a conspiracy that had been long brewing, but create a strong presumption that Mr. Cecil Rhodes was cognisant of its existence, and justify some suspicion that, up to a certain point, at all events, he actively encouraged it. That he was actually a party to Dr. Jameson's final action, which, indeed, though it had been pre-arranged, with or without his cognisance, between the leading conspirators and the doctor, was ultimately carried out by that impulsive individual in opposition to their instructions, is not shown. On the contrary, there are indications that it was his refusal to countenance the plan of resorting to force that led the leaders to countermand the march of Dr. Jameson and brought about the break-down of the scheme

for a rising at Johannesburg. The true measure of Mr. Rhodes' guilt is probably accurately defined in the Afrikaner, Hofmeyr's account of his reasons for breaking with his quondam friend and ally, *viz*, that, though occupying the responsible position of Premier of the Cape, he had concealed his knowledge of the conspiracy, however acquired, not only from the Transvaal Government, to which, indeed, he was under no obligations to impart it, but from his colleagues and from the High Commissioner; that, though he had received positive warnings of the projected invasion of the Transvaal, he left his own colleagues in the dark regarding it for a day and a half; that he took no steps to suspend Dr. Jameson or repudiate his action, and that, even after the exposure of the plot, he never censured its authors. To this it may be added that he apparently denied all knowledge of the plot to Mr. Chamberlain.

Under these circumstances, it came upon the public as a surprise, and upon the Boer Government as a revelation, fraught with menace for the future, when, on being questioned on the subject after the publication of the cipher telegrams, Mr. Chamberlain, while condemning the policy indicated in them, declared that it was men like Mr. Rhodes who had made the Empire, and practically condoned his offence, by announcing that "his proper place was Africa, where he could best atone for the past." This statement alone would have placed an insuperable obstacle in the way of a satisfactory understanding with the Boers, even if that had been otherwise attainable, and will confirm them in their determination to resist interference to the utmost, if not to refuse all concessions to the Uitlanders, and to continue to prepare for any eventuality. At the same time, it should be remembered, Mr. Chamberlain has promised that, when the pending trials were concluded, a Committee of both Houses shall be appointed to examine the whole situation, and it is possible that the result of this enquiry may pave the way for reconciliation.

As to the negotiations regarding the Uitlanders' grievances, they have, as we have said, come to a standstill. Worse than this, they have ended in the complete diplomatic discomfiture of Mr. Chamberlain. After what had happened, it could hardly have been expected that the Boer Government would have been prepared in any case to consider the claims of the Uitlanders very favorably. Unfortunately Mr. Chamberlain seems to have adopted a course eminently calculated to provoke a rebuff. Instead of being contented to state the case for redress and the arguments for granting it whether on grounds of justice or of policy; as strongly as possible—and they were capable of being stated very strongly—he was unwise enough to suggest a

quid pro quo. The measure of autonomy granted to the Boers, however, by the Convention of 1884 was so complete, that the only *quid pro quo* of any real value which he was in a position to offer them, was the relinquishment of the sole restriction imposed by it on their independence, *vis.*, the right of concluding treaties with foreign powers without the consent of the British Government. It was well known that the Boers ardently desired this concession, if they had not actually proposed it. But to grant it would be practically to abandon the suzerainty and to open the way to political complications which would seriously compromise the position of Great Britain in South Africa, and this is the one thing which the British Government is resolutely determined not to do. Rather, then, than appear to approach President Kruger empty-handed, Mr. Chamberlain made the fatal mistake of offering him two pretended boons, one of which he already possessed, and the other of which was the last thing he was likely to desire, *vis.*, a guarantee against attack on the independence of the Transvaal from within British territories, or the territory of any foreign Power. To this the Secretary of State at Pretoria is said to have replied that, "as the obligations and relations between the Republic and Great Britain, as recognised by international law, already exclude the danger of attack upon its independence from British dominions, this is tantamount to offering the republic something of which it is already in possession; while with regard to attack by a foreign Power, the Boer Government has never desired or required any such guarantee." For the rest, the President objects to discuss reforms, on the ground that Great Britain is debarred by the Convention from interfering in the internal administration of the Republic; but at the same time promises that friendly suggestions shall always receive consideration. As to the invitation to the President to visit England, he points to the necessity for his presence at the approaching meeting of the Volksraad as an objection to his accepting it at present, and suggests that it should not now be pressed. Under the circumstances, the invitation has been withdrawn, and Mr. Chamberlain has announced that, while the British Government will strictly fulfil their legal obligations, they will also strictly maintain their legal rights, and that the first object of British policy is to preserve our supremacy, which has been threatened, and the second to establish a union between the British and Dutch in South Africa.

As a consciousness of the extent to which he was compromised, or the fact that it had been discovered, led Mr. Cecil Rhodes to resign his Premiership, so Mr. Chamberlain's condonation of his conduct has led our agent in the Transvaal, Sir Jacobus de Wet, to resign his post; and it has also formed the

subject of a protest on the part of President Kruger. As regards the sentences on the Reform leaders, Mr. Chamberlain, presiding at an African dinner on the 21st ultimo, stated that he could not consider them entirely satisfactory, and had always regarded President Kruger as the last person to be animated by vindictive feelings towards men who, though they had erred grievously, had created the prosperity of the Transvaal.

The trial of Dr. Jameson is still proceeding.

The policy of the Government in the Soudan has been challenged on account of its vagueness, and a suspicion that it covers ulterior designs of great magnitude, and on the ground that it involves a mischievous waste of the resources of Egypt and grave risk of complications with other European Powers.

It formed the subject of a motion by Mr. John Morley, in the House of Commons, in Committee of Supply, to reduce the salary of the Foreign Secretary. Mr. Morley, referring to previous replies of Mr. Curzon to questions on the subject, and to certain telegrams read by him, accused the Government of not having treated the House with proper frankness and confidence; and contended that the evidence produced showed the existence of no such danger to the Egyptian frontier as could justify the advance. If the hypothesis of the Government, that Mahdism would be so stimulated by the defeat of the Italians at Adowa as to create a fresh source of danger to Egypt, was true, then, he argued, its military plans were absurdly inadequate. No definite account of the views and objects of the Government had been given. All that was clear was that the advance towards Dongola marked a new departure of some sort, and the inference was that its aim was the reconquest of the Soudan, which the Soudanese would resist with might and main. He further declared the Government of Egypt to be incompetent to administer the Soudan, and censured the Government for re-opening the Egyptian question without consulting the other Powers.

Mr. Chamberlain, in reply, remarked that the arguments of the opposition were tainted by the preconceived idea that it was the duty of the British Government to abandon Egypt, but denied that the advance in any way altered our position in that country. The present policy of Egypt was the defence of its frontier, a purpose for which the desert in front of Wady Halfa made it unsuitable. The defeat of the Italians at Adowa had created a new situation, and had increased a dangerous ferment among the Dervishes, while, if Kassala were to fall, the menace to Egypt would be of the gravest character. In fact, the interests of England and Italy in the matter were inseparable. Our advance would be limited by the security of the communi-

cations we could maintain, and by the nature and extent of the resistance we might encounter. The railway to Akasheh would provide the means of communication, and we should not give back to barbarism any territory we might recover for civilisation. On the other hand, the Government contemplated no gigantic military efforts, as their policy was confined to what they believed to be the immediate needs of Egypt. He also stated that their policy was supported by Germany, warmly approved by Austria, and cordially welcomed by Italy, while the ultimate attitude of France and Russia towards it was still a matter of negotiation. At a later stage of the debate, Mr. Curzon maintained that the projected movement was necessary to save Egypt from danger. No Government would evacuate Egypt until they had secured the country against the danger of external attack, against the danger of internal anarchy and disorder, and against the recurrence of native mal-administration. Surely no honourable member was prepared to assert that those conditions had yet been fulfilled. The proposed forward movement was inseparable from, and part of, the work we were undertaking in Egypt. Our task was not to rule Egypt, but to teach the Egyptians how to rule themselves. In that task, he declared, we should persevere until it had been accomplished, and the military expedition now contemplated would be one of the conditions and evidences of our success.

Subsequently Mr. Balfour, while denying that there was anything in the course they were taking that need excite the smallest suspicion or alarm on the part of any Frenchman, frankly admitted that the position of Egypt could never be regarded as satisfactory until its control over the Soudan had been re-established, and repeated Mr. Chamberlain's assurance that this was not an advance to be followed by a retreat. "Where they advanced, they meant to stay, and everything that was gained for Egypt by the expedition would be gained for ever." A division being taken, Mr. Morley's amendment was defeated by 288 to 145.

There need be no doubt that, in determining on this advance, the Government have a two-fold object in view. One of their objects is the substitution of a frontier which could not be attacked without warning, for one which is always exposed to sudden attack; the other is the destruction of the power of the Dervishes, which, as long as it lasts, is a standing menace to Egypt, besides being a curse to the country over which it extends, and a formidable obstacle to the suppression of the slave-trade. The first of these objects is immediate and absolute. But for the defeat of the Italians at Adowa and the movement of the Dervishes against Kassala, the steps necessary

for its attainment might have been deferred some time longer ; but it is probable that, in any case, they would have been taken sooner or later, independently of all question of a further advance, to Dongola, or beyond it. The second object is contingent, and may be remote. It is not necessary for the immediate safety of Egypt, but it is necessary for its permanent security, and it might at any moment become necessary for its safety. The present advance is defensible on its own merits, on purely strategical grounds ; but it holds out the additional advantage, that it will place England in a more favourable position for achieving the more remote object, should either the decay of the Dervish power favour, or its further development precipitate the necessity for, its accomplishment.

Whether, in either her own interests, or those of the Soudan, or even in those of Egypt itself, England would be justified in restoring to the latter country any greater extent of territory to the South of its late frontier than is absolutely necessary for strategical purposes, may be questioned, and it is very doubtful whether she has any intention of doing so.

A serious question has arisen as to the incidence of the cost connected with the employment of the Indian troops in Africa. The first statement of the Home Government on the subject was that, according to precedent, the ordinary charges would be defrayed by India, and that the question of the incidence of the extraordinary charges was under consideration. Subsequently, the sanction of Parliament being required for the expenditure from Indian revenues, Lord George Hamilton brought forward a resolution that the ordinary charges on account of the troops and vessels should be defrayed by India, but that, if it became necessary to replace them, Great Britain should bear the further cost. To this resolution amendments were moved by Messrs. John Morley and J. M. Maclean, to the effect that it was inexpedient to charge India with any portion of the expenses ; and a strong article in the same sense was published by the *Times*, in which the writer declared that the question was not a party one, but one of justice to India, and must be decided by the nation. If Parliament decided to end a practice which had grown into a wrong to India, the Government, he said, would doubtless yield, and he added that the decision arrived at on the question might do more to confirm or shake the loyalty of India than any action of Parliament since the Mutiny of 1857. At the instance of the Government of India, the discussion of the Resolution has since been postponed, pending the submission of their views.

The allusion to the Mutiny was, perhaps, neither very pertinent nor very judicious, but the question is one of great and increasing gravity, and it is surprising that, beyond the sub-

mission of representations on the subject by two native associations, one in Bombay and the other in Calcutta, no attempt has been made in this country to obtain an expression of public opinion regarding it, though that opinion is probably unanimous against the employment, at the cost of the people of India, of troops engaged in wars outside her borders and either unconnected, or only remotely connected, with her defence. In the present instance, it cannot be maintained that the object in view is one of any concern whatever to the people of this country.

The question of the Indian cotton duties has been again raised in the House of Commons by Sir William Wedderburn, who, on the 18th ultimo, moved the adjournment of the House for the purpose of calling attention to the matter, and suggested that, as a relief to the poorer classes, all cloths, whether Indian-made, or imported, which contained yarns of higher counts than twenties, should be exempted from duty. Lord George Hamilton, in reply, denied that cotton goods made from the lower counts were worn exclusively or mainly by the poorer classes, an obvious subterfuge; and intimated that existing arrangements could not be disturbed.

The main features of Sir Michael Hicks Beach's Budget are—that there is a surplus of £4,210,000 in the accounts of the past year, which is to be used to pay for naval works, while for the coming year no taxation is to be imposed or remitted. The revenue, it is estimated, will amount to £101,755,000, the expenditure to £100,047,000, leaving an estimated surplus of £1,708,000, which will be disposed of in the following way:—£100,000 in a re-adjustment of the Land-tax, £950,000 to relieve agricultural rates; and the remaining £433,000 in providing for a slight adjustment of the Death-duties, for extra grants for education, and for "margin."

The more important of the legislative measures introduced by the Government are a London Water Bill, introduced in the House of Lords; an Education Bill; an Irish Land Bill and an Agricultural Rating Bill.

The Education Bill which has passed its second reading by an overwhelming majority, proposes to raise the minimum age at which a child may leave school from eleven to twelve; to decentralise the work of the Education Office by handing over to an Education Committee, appointed by the County Council of each county, the duty of inspecting and criticising the schools in that county,—this Committee to contain a majority of county councillors, who may, however, be reinforced by a minority of persons interested in education, who have not been elected to the County Council, and to be charged with the duty of distributing a new grant of 4s. per child to all the

voluntary schools and the poorer Board-schools,—the grant to be spent in improving the salaries of the teachers and the character of the teaching generally. The pauper schools may also be handed over to the Education Authority, and the industrial schools are to be placed under them. These Education Authorities will be supervised by the Central Department, but they will be the main educational agent in each county. Any particular class of schools will be allowed to federate themselves, and to receive a lump-sum for the whole number of schools so associated. Finally, when a "reasonable" number of parents agree that they wish to have a particular kind of religious instruction given to their children, the Education Authority is to be empowered to make arrangements for their being taught their religious lessons by the accredited teachers of the particular Church which the parents have chosen.

The chief feature in the Irish Land Bill is that it extends the period for repayment by the tenant from forty-nine to seventy years; greatly simplifies the arrangement under which he can borrow money to redeem his "holding;" presumes all improvements made since 1850 to be tenants' improvements, unless the contrary is shown; simplifies procedure; provides for the offering of encumbered estates to tenants for purchase on easy terms, and confers on the Congested Districts' Board the right to borrow a million and a half for purchase purposes. The Agricultural Rating Bill, which has passed through the Committee stage, proposes to pay half the rates on agricultural land by means of an Imperial grant-in-aid.

The ministerial crisis in France, which ended in the resignation of the Bourgeois Cabinet, arose immediately out of the refusal of the Senate to vote the supplies for the garrisons in Madagascar, unless they were asked for by a Ministry in whom they had confidence, the real cause of the dissatisfaction of the Senate being, no doubt, the fiscal policy of the Government, and especially its Income-tax Bill. A moderate Ministry was eventually formed by M. Méline, who has announced that he will put down revolutionary designs, and oppose all projects of Revision, will substitute a tax on the sources of Income for the Income-tax, will proceed with the Bills dealing with labour, will undertake legislation in the agricultural interest, and will avoid barren and irritating questions—a programme in many respects closely resembling that of the present Unionist Ministry in England. The new Cabinet was promptly attacked by the Radicals, but secured a vote of confidence in a full house by a majority of 43.

The rumour that Russia is about to construct a railway from Merv to Kushk is confirmed. The line, which is to be on the broad gauge, will, it is understood, be about 132 miles in length,

terminating about 200 miles from Herat, in the direction of which place, however, there will be a narrow gauge extension for some hundred miles further.

The assassination of the Shah of Persia who was shot in a mosque near Teheran, while on a visit of devotion to the shrine of Shah Abdul Azim, was at first attributed to the Babis, but appears to have been the work of an assassin who was chosen for the purpose by a band of fanatics, of which he was a member, but to have been unconnected with that sect, or with any extensive political movement.

The deceased Shah has been succeeded by his second son, Prince Muzaffar-ud-Din, who was Governor of Azerbaijan, and is said to be a young man of good intelligence and amiable disposition, but of whom very little seems to be known. His elder brother, Zil ul Sultan, has shown no disposition to dispute the succession, which, beyond some confusion caused by bad characters at Shiraz, has been unattended by any serious public disturbance.

In India the period under review has been more than usually uneventful. Arrangements in Chitral and on the line of road thither are working favourably and apparently to the satisfaction of the people of the country and the tribes, and the annual relief of the garrisons has been carried out without any serious hitch or disturbance, though, at one time, it seemed likely to be misunderstood by the tribes. The demarcation of the Beluch Afghan boundary has been brought to a successful conclusion, as also has that of the boundary between Persia and Beluchistan; and the Mission has returned to India. The subjugation of Kafiristan by the Amir of Kabul has been practically completed by the operations of March last. The main features in the Amir's policy with reference to the new territory appear to be the deportation of part of the inhabitants to make room for military colonies of Afghans, and the construction of a military road through the country to Badakshan, on which the troops are actively engaged.

In Upper India the prolonged drought, which has been accompanied by intense heat, has been the distinguishing feature of the Quarter, as it was of that which preceded it. In Lower Bengal, where, however, it has been mitigated during the past month by seasonable showers, it has been attended, over considerable tracts of country, by a distressing scarcity of drinking water. The suffering thus occasioned has brought into prominence the question of the permanent improvement of the water supply of the Province, and proposals of an important character for accomplishing this have been formulated by the Local Government. The general idea of the scheme is to carry out the work through the agency of village unions, to which

such sums of money as can be spared will be made over for the purpose by the District Boards, and which will be further empowered, for the same purpose, with the sanction of the Commissioner, to levy a local rate on persons resident within the Union according to their circumstances and property. At the same time, it is suggested that the District Boards would be authorised to levy tolls on bridges and metalled roads constructed by them, till their cost has been recovered, and that the Unions should be empowered to levy fees for musical processions, a tax on marriages and a wheel tax. In order to improve the financial position of the District Boards so as to enable them the better to contribute to the work, the Local Government, offer to surrender to them the Ferry Fund receipts and to relieve them of all charges for educational and medical purposes, and possibly of the maintenance of some of the Provincial roads transferred to local management under the Acts of 1871 and 1880. Among the powers which it is proposed to confer on the Union Committees is the somewhat wide and arbitrary one of utilising, cleansing, or repairing any tank, well, stream, or water-course within the Union, and providing facilities for obtaining water therefrom, qualified only by the condition that they shall not interfere with rights of fishing or irrigation, or with the exclusive use of the water by the female members of the household.

Provisions are also proposed for the sanitation and improvement of the water-supply of insanitary villages not included in Unions, through the agency of a punchayet, elected by the inhabitants, with power, subject to the approval of the Magistrate, to raise the amount they may determine to be necessary for the purpose, by a tax on persons occupying houses or lands within the village, according to their circumstances and property, up to a maximum limit of Rs. 48 per head per annum.

The Financial Statement for 1896-97, which was laid before the Council on the 19th March, is a highly satisfactory document. Owing mainly to the improvement in exchange which occurred during the year, the Revised Estimates for 1895-96, after providing for an unexpected outlay, on account of the Chitral Expedition, Famine Insurance Grant and Provincial contributions restored, of more than two crores and a half, show a surplus of Rx. 9,51,000 in the place of the nominal surplus of Rx. 46,200, originally budgeted for, the total improvement in the ordinary revenue, including Rx. 1,436,300 under the head of exchange, having been Rx. 3,460,700. The estimates for the current year provide for a surplus of Rx. 463,000, exchange being taken at Rs. 1½d., a rate which has so far been exceeded, and the price of Opium at Rs. 1,300 per chest. The

Famine Grant has been restored, but is reduced to Rx. 1,000,000; a special grant of Rx. 495,000 is made for Army Mobilisation, and provision is made for expending Rx. 7,270,000 on railways during the year. A rupee loan of four crores is to be raised in India, probably on a three per cent. basis, and the amount for which the Secretary of State proposes to draw during the year is £16,500,000.

The Bengal Provincial Budget is even more 'satisfactory. The year 1895-96 was expected to close with a surplus of Rs. 12,29,000, in the place of an estimated deficit of Rs. 1,11,000, the chief causes of this favourable result being the restoration of the special contribution of three lakhs made to the Imperial Treasury in the preceding year; an unexpected increase of more than $4\frac{1}{2}$ lakhs in railway receipts, owing to the brisk traffic in jute; a diminution in the charges for exchange compensation allowance (nearly $1\frac{1}{2}$ lakhs), owing to the rise in the rate of exchange; a large increase of receipts under Jails, Marine and Miscellaneous, and minor improvements under almost all revenue heads.

The current year opens with a balance of Rs. 55,51,000; receipts are estimated at Rs. 4,46,36,000 and outgoing at Rs. 4,67,47,000, leaving a closing balance of Rs. 34,40,000. Of the increased expenditure, Rs. 13,51,000 is under Civil Works, Rs. 2,18,000 under Irrigation and Navigation, Rs. 1,26,000 under Judicial Courts, Rs. 1,09,000 under Land Revenue, Rs. 1,61,000 under Education, Rs. 1,28,000 under Medical, Rs. 90,000 under Forest, Rs. 51,000 under Salt, Rs. 37,000 under Marine, and Rs. 62,000 under superannuation charges.

Among the measures which have been introduced in the Bengal Council, the more important are a Bill to amend the Local Self-Government Act, a Bill to amend the Bengal Municipal Act, which have been referred to Select Committees, and a Bill to amend the Law relating to the Partition of Estates, which has been published for general information. The main object of the first two of these measures is to enable District Boards and Municipal Commissioners respectively to devote a portion of their funds to the provision of a veterinary staff and veterinary hospitals for the treatment of cattle and horses, and to the improvement of the breeds of these animals. The Bill to amend the Partition Law proposes, among other things, to withdraw the right to claim partition of an estate where it would result in the separate assessment of an estate with a revenue of Rs. 100 or less.

An unpleasant incident of the period under review has been a recrudescence of the cow-killing feud between Hindoos and Mahomedans in the neighbourhood of Calcutta. At Barrackpore and Serampore and in their neighbourhood, on the ap-

proach of the Bakr-Id festival, feeling on the subject ran so high, that it was thought necessary to hold troops in readiness to suppress a disturbance. At Serampore the festival passed off quietly ; but at Titaghur, in spite of every precaution, a serious riot occurred in connection with the intended sacrifice of a cow by a Mahomedan of that place, and the assistance of troops from Barrackpore had to be called in to disperse the rioters, ten of whom sustained more or less serious injuries during the affair,

Our obituary includes, besides the name of the Shah of Persia, those of Major-General John Thacker ; Archdeacon Denison ; Mr. Thomas Hughes, Q. C., the author of *Tom Brown's School-days* ; Lady Burton ; Mr. George Richmond, R. A. ; Rear Admiral Dawkins ; Surgeon-General John Hendley, C.B. ; Mrs. Elizabeth Rundle Charles ; Major-General J. Lawson ; Count Mattei ; Mr. James Ashcroft Noble ; Sir W. Stuart, K.C.M.G., C.B. ; M. Tricoupi ; M. Leon Say ; M. Cernuschi ; Baron de Hirsch ; the Marquis of Bath ; Mr. Arthur Cecil, actor ; Sir Henry Parkes ; Mr. A. Allardyce, journalist ; Colonel J. T. North, popularly known as the Nitrate King ; Professor Geffcken ; Mr. A. W. Hunt, artist, and Archduke Charles Louis, of Austria.

J. W. F.

June, 6, 1896.

VOLUME CIII.

October 1896.

No man who hath tasted learning but will confess the many ways of profiting by those who, not contented with stale receipts, are able to manage and set forth new positions to the world: and, were they but as the dust and cinders of our feet, so long as in that notion they may yet serve to polish and brighten the armoury of truth, even for that respect they were not utterly to be cast away.—MILTON.

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THE CALCUTTA REVIEW

No. 206.—OCTOBER 1896.

ART. I.—THE GREAT RIVER OF TIBET: ITS COURSE FROM SOURCE TO OUT-FALL.

(With two Original Maps).

THE French scientific press has been lately exceedingly jubilant over the geographical results of the recent journey of Prince Henri d'Orléans from China to Assam. He started from Tonking in January 1895; crossed the province of Yunnan, and, achieving a new and perilous route, traversed the uppermost waters of the Irawadi river from N.-E. to S.-W., eventually reaching Sadiya in Assam on Christmas-day, 1895. Thereupon, with characteristic assumption and far-sounding cries of triumph, do his countrymen assert that a Frenchman has settled the long-vexed question of the sources of the chief river of Burmah, and finally determined that the Irawadi is not the continuation of the great water-artery of Tibet.

Such exultation seems rather quaint; because, hitherto, all French geographers have made it quite an affair of honour to maintain the precise opposite. Cumulative evidence of overwhelming force had been amassed during the last fifteen years by agents of the Survey of India, both English and Native, and by other British explorers, which substantially proved that the Tibetan river was the early course of the Brahmaputra and conclusively showed that it had no connection with the Irawadi. In France, nevertheless, the whole was hotly negatived. D'Anville, the earliest cartographer of these regions, a Frenchman, had made the Burmah river the development of the "Sanpo" of Tibet; to hold to that view was, consequently, a national matter.

It is amusing, therefore, to note how neatly and with what *savoir faire* the French geographical writers would now escape from their former untenable position. General Walker, Mr. J. B. Hennessey, Sir Henry Yule, and other English authorities had frequently demonstrated that the Irawadi rose in a range dividing North Burmah from Dza-yul, and that, on the contrary, the Salwin had its origin far within Central Tibet.

Unfortunately, however, General Walker had once issued a tentative map placing the source of one branch of the Irawadi in Tibet. On this the Frenchmen seize. Ignoring the consistent contention of all British geographers for years, they point derisively to General Walker's map, and announce Prince Henri's "discovery" as if it were a new idea just promulgated, proudly assenting to it as the solution of a mystery now for the first time unravelled by French enterprise.*

Admittedly, the exploit of Prince Henri was an adventurous one ; and it might have been as geographically useful as it was spirited, had he brought back any minute technical record of his route, supplemented by laborious observations. A showy escapade is not, however, equivalent to a genuine exploration. As to the general topographical information obtained, it has nothing about it of the grand solution of a problem claimed for it by writers in the French press. Its real value is of a secondary nature ; in that it is confirmatory of previous explorations in nearly the same regions made by British survey officers, of which little public notice has been heretofore taken.

We may state shortly, for the present, that two expeditions into the Mishmi and Kampti territory, together with certain survey work on the upper waters of the Irawadi from the Burmese side, had already sufficiently established the general localities where the feeders of that river rise. In 1885 Colonel R. G. Woodthorpe, Major C. R. MacGregor, Mr. M. J. Ogle, and Dr. St. John Grant investigated the country bordering the western sources, a large portion of which was accurately mapped. Again, in 1891, the Irawadi was ascended above the point where the two main feeders coalesce ; the explorers being Colonel Hobday, with Lieuts. Elliot and Daly. The results of these journeys, combined with previous scrutinies from the Chinese side in Yunnan, proved the river of Burmah to have no share in the drainage of Tibet, and placed the main water supply in the glaciers of a mountain range running N.-E. to S.-W., dipping from latitude $28^{\circ} 25' N.$ to $28^{\circ} 5' N.$

Accordingly, now that the long-held opinions of British geographers upon this subject have become universally acknowledged facts, and that the plucky excursion of Prince Henri d'Orléans has afforded our Gallican protestors an honourable entrance to the general view, a most interesting and necessary task remains to be undertaken. ..

* See also a paper by the present writer in the *Calcutta Review* for April 1894, wherein (p. 336) the points of origin of the Irawadi and the Salwin are determined. With regard to the latter river, Prince Henri avers now that it is the continuation of "the Ur Chhu of Tibet." If so, what becomes of the mighty Gyama Ngul Chhu? The truth is that the Ur Chhu is quite a minor affluent of the latter : it is the Gyama Ngul Chhu which developes into the Salwin.

PURPOSE IN PRESENT PAPER.

The great waterway of Tibet, which for nearly 1,300 miles makes strange progress through that unknown land, has, as we say, at length been admitted to be the parent stream of the mighty Brahmaputra of the Indian plains. Bit by bit, during the past 28 years, have portions of the secret course been elucidated by our trained native agents despatched into Tibet. But the information ascertained in this and other ways exists for the most part in piece-meal form only. What remains yet to be done, then, is to collect and amalgamate the scattered facts and to present them as a connected whole. This question of the Tibetan river, and whether it eventually developed into the Brahmaputra or the Irawadi, has proved one of the most romantic as well as one of the most important problems of modern geography. But the details of the course of this wonderful river are in themselves worth setting forth; and the mystery which in some measure still besets them, adds to the charm of elucidation. Moreover, as we believe we can here give not only a full summary of all that has been so far brought to light on the subject, but have also many new facts to add from native Tibetan sources, we venture to put on record the present account.

Nearly the whole length, from west to east, of southern Tibet is traversed by a remarkable valley, rarely deep, but chiefly progressing as a broad depression in the lofty table-land at the back of the Himalayas. This valley forms the bed of a leviathan watercourse, running eastwards for several hundred miles, and draining large tracts of mountainous country to the north and south of its margin. It is, indeed, the gigantic gutter of the southern half of Tibetan territory; for, into its vortex, all the lesser rivers find their way at length.

The important fluvial artery, to which we are referring, is that so long known to geographers as the "Sanpo;" and the discussion concerning its ultimate development to which we have already alluded, has added considerably to its notoriety. Strange, however, it seems that Englishmen should have been dwelling for several generations within 100 miles of points a personal inspection of which could at once have ended controversy; yet they were and are physically shut out from such visits. Indeed, the question as to which southern river receives the "Sanpo," has to this day been determined only by accumulative inference, not by actual observation. Still (1896) do a few savage tribes keep back Europeans from settling the problem with their own eyes. And yet how a railway station actually stands only fifteen miles from where the Tibetan river meets the Eastern Brahmaputra!

Quite apart from this discussion, the great river deserved special investigation. It is unique, as we shall see, in so many ways. To mention, in passing, but one such singularity: When flowing at the height of 13,700 feet above the level of the sea, it is a river habitually navigated by boats and made use of for the transit of merchandize. This can be alleged of no other water at such an altitude in the world.*

THE RIVER'S NAME.

First, as to the correct designation. This, of course, is not "Sanpo." That name came to be used only because the word *tsangpo* is the general Tibetan term for any large river; *chhu*, another word in common use, meaning merely "water," and being generally applied to smaller rivers. In the different districts through which this the *Tsangpo par excellence* passes, it bears different appellations. During the first 200 miles it still carries its ancient title, *Támchhok Khábab*, i. e., "the down-flowing mouth of the best horse"—the *Támchhok* being a fabulous steed petrified in Lake Má-p'ang from the rocky mouth of which creature the river is supposed to gush forth. Lower down in its course we hear the name Ngári *Tsangpo*. Below Shigatse it acquires the style most commonly employed in the civilised districts, that of Yeru *Tsangpo* (really *Gyas-ru Gtsangpo*) "the river of the righthand banner;" and that denomination seems to be maintained throughout Central and East Tibet and until, in the Miri and Abar hills, it is yet again changed into that of Dihang, or Dihong.

SOURCE OF THE TSANGPO.†

Despite the legend which has suggested the name for the early course of the river, it certainly does not rise, as alleged, in Lake Má-p'ang. The real place of origin is situated some 20 miles S. E. of that Lake—approximately in longitude 82° 10' E. In fact the Yeru *Tsangpo* has its sources in a long narrow valley cradled in a remarkable manner between three separate ranges of mountains, each of which is literally loaded with glaciers.

Into this womb of the Ice Mothers which, conjointly, breed the mighty Brahmaputra, even Tibetans themselves have scarcely ventured. The only entrance seems to be at the S. E.

* A small steam launch is stated to ply on the waters of Lake Titicaca, on the dividing line between Bolivia and Peru, high up in the Cordilleras. But the altitude of this lake is 12,750 feet above sea level, a thousand feet lower than the *Tsangpo* in Ngari Khorsum and Dokt'ol, where there is a boat service for a length of 80 miles.

† For convenience this term can be employed, and in Tibet it is often loosely so designated. The Capuchin Missionaries, who were resident 150 years ago at Lhása, writing circa 1740, styled it, variously, *Tshang-po*, *Tsang-ciu*, and *Tsanga*.

extremity of this mountain-locked valley, at the end where the river issues forth. No tracks pass up the valley; for the mountains at the head of it, which separate the valley from the lakes at the base of Mount Kailas, have no way over them, and the whole terminates in a stupendous *cul-de-sac*. The actual place where the river first forms is said to be a large gravelly marsh, fed from the adjacent glaciers, and styled *Ypema Yungdrung*, "The Sands of the Mystic Wheel." This lies at an altitude of about 14,700 feet above the level of the plains of India, whither the waters are destined eventually to descend.

Lonely, impenetrable, unknown, it seems meet that the mystic and famous stream should thus be born in utter secrecy in this remote valley so far to the west.

But the solitude must be one not of barrenness, but of grandeur. On three sides, let us remember—N.-W., N.-E., S.-W.—the birth-place is girt about by monster sentinels crowned with helmets of never melting snow, and standing shoulder to shoulder, with glaciers for each epaulette.

SECTION : NO. I.

(*From the Source to conjunction with the Chhorta Tsangpo*).

"The Sands of the Mystic Wheel," whence the river takes rise, are closely hemmed in by parallel ranges trending south-eastwardly. The northern range, Gang-ri Gur-gyab, shuts off the sources of the Indus. The southern wall is a massive ridge radiating from Gur Lha, itself a stupendous mountain-matrix flung up to the south of Ts'o Má-p'ang (*i. e.*, "The Lake of the Peacock's Breast"). This ridge, bearing the name of Nyimo Namgyal, "that which completely vanquishes the sun," eventually makes to the S. S. E. to form the watershed lower down between the Tsangpo and the rivers of Nepal. The parallel ranges accompany the river for 25 miles, throwing up peaks from 18 to 22 thousand feet altitude and supplying it assiduously with glacial drainage. About 18 miles from the start, the valley opens out into a broad vale some 8 miles across; and there the river is found, with a swift current and deep waters, flowing in a rock-bound channel east by south. At this point it is said to be 70 feet in breadth. The southern bounding range here falls away south, though the glaciers and snowy peaks upon it continue, and have still to contribute two or three feeding streams. And now, when the cradling valley expands and the northern mountains drop lower, we find the first fixed geographical point. For, into the river basin, from within an elevated ravine, there creeps down along this northern wall a well-beaten

descent from the much-used Mariam, or Már Yum La. This, the "Mother of the Lowlands Pass," has two main approaches, or ascents, from outer regions which converge at its climax, or *laptse*, into the descent into the Támchhok valley. One approach is from the west, the direct official route from Gardok (Gart'ok) to Lhásá; the other road is from the north and north-west, and ascends from the valley of the Indus. The latter is the route from Lth *via* Rudok, and is a well-used line of transit from Ladak both to Nepal and to Lhásá. It is stated that merchandise can be brought up by the Indus to within ten miles of the foot of the northern ascent to Mariam La. Thence the goods are transported over the Pass into the Tsangpo valley; and, it is said, are often again launched in hide boats some fifty miles lower down the stream, and so conveyed to Shigatse, which stands near the Tsangpo over 500 miles from Mariam La.

The descent from the Mariam La does not yet touch the great water-way. The combined route (comprising the two highways from Ladak to Lhásá) at first keeps laterally along the northern boundary of the valley, and is accompanied by a fairly large river formed by streams from the heights abutting the Mariam Pass. This path has to be traversed some thirty miles further before the merchants, packmen, and pilgrims come in sight of the mighty Támchhok (or Támchhen) Khabab travelling grandly eastwards. However, the banks are not actually gained until the post-stage named Támchhen Tázam has been reached; and there, too, the branch-river just mentioned falls into the main stream, which by this has travelled some fifty miles from its source.

A word may here be interposed concerning these halting stages on the post-track which form such a feature along a great part of the course of the Tsangpo. They are termed Tázam or "horse-bridges," not because any bridge exists at them, but because the post-carriers to Lhásá there change their horses, and so the long and difficult route to that city is thus metaphorically "bridged" from Tázam to Tázam. At each of these stages is a large rest-house, where coolies and beasts of burden are always held in readiness, but only for official use.*

* Between Gart'ok (near the Ladak border) and Lhásá, a distance of 790 miles, there are 22 *tázam*, and the special messengers of the Tibetan Government are expected to traverse the whole space in 22 days. Although the horses are changed at each stage, the messenger is not: he goes the entire distance, travelling night and day. These men are said to have their clothes stamped at the fastenings with official seals to ensure their not undressing while *en route*. When their garments are first taken off, after the 800 miles' ride, the rider is always in a terrible state of exhaustion. There are similar despatch services between Lhásá and Ba-tang, Lhásá and Peking and Lhásá and Phari Jong (near the Sikkim border).

From Támchhen Tázam down to the junction with the Chhorta river, a distance of 180 miles, the post-track follows the course of the Tsangpo ; and thus it was that the native surveyor, Nain Singh, was able to report fully on this portion. At first during that part the great river has the southern snowy range only from twelve to "twenty miles distant," and it runs along the base of some low lying hills which form the northern bank. Beginning with dark shaly-slate, these hills soon pass into brown argillaceous clay, and eventually into actual red sandstone ; they give off several small feeders into the main river. The first large tributary falls in forty miles S. E. of Támchhen ; it comes in from the north, being styled the Chhu Nág-ku.

All this district is known as Purang ; and the Tsangpo flows near the chief town Yá-tse Dzong, with its great gompa of Shingp'el Ling. After the influx of the Chhu Nág-ku, the river continues S. E. until where, about fifty miles further on, it is augmented by another tributary, much larger than the first, arriving also from the north. This affluent, the Ts'á-chhu Tsangpo, seems to be almost as large as the Támchhen Khábáb itself, being 500 feet wide, and only to be crossed by means of ferry-boats.

On the transit being made, you approach the Tádum rest-houses, the largest set in that part of the country.*

Tádum is a considerable vortex for trade, a fact to which the eight or nine post-houses surrounding the gompa bear witness ; routes to the Panjab and Nepal being brought in here. And now the river projects a peculiar loop, first due south, then curving north a little, but eventually making off once again direct to the S. E. Having absorbed another small tributary, the Mingchu Tsangpo, or "River of Ten Names," it takes a great bend some thirty-three miles below Tádum, flowing southwards for nearly twenty-seven miles, and afterwards turning up N. E. At the southern-most elbow there comes in the first important affluent received from the south. This is quaintly styled Shurtá Tsangpo, "the River of the Horse that Sits Still," while after a twenty-five mile run N. E. there unites with the now majestic stream a duplex tributary from the north, said to be the largest received during the whole course of the Brahmaputra through Tibet. In opposition to the last named contribution, this branch is known as the Chhortá Tsangpo, or "the River of the Horse that Runs Away"; and in size it fully equals the main water-way.

* Ordinary travellers use the stage-houses at a *tázam* 'on payment, but cannot claim ponies and yaks. Government officials travelling are provided with free transit of themselves and their effects, and invariably engage in extensive mercantile operations which have also to be given conveyance. Such conveyance becomes a heavy charge on the inhabitants of each district, who have to keep the *tázam* gratuitously supplied with beasts of burden.

So ends what we shall term the first section of the big river's course ; and it will be convenient to realise the position reached. By this time the number of miles traversed from the source may be reckoned with fair precision at 250. The progress throughout, with the exception of the loop just taken, has been S. E., and the longitudinal meridian arrived at is approximately 85° E. ; but the latitude has dropped from $30^{\circ} 40'$ (at the source) to $29^{\circ} 26'$ N. Although so many affluents have been absorbed, the apparent size is hardly commensurate to the quantity of water brought in by these. As in the parallel case of the Indus, it is depth and rolling force which have been gained ; and below Támchhen Tázam, the river is never fordable, even where it spreads most widely. Not counting the early feeders from the glaciers of the southern range, important as they are to the primeval formation, all the tributary streams, save one, have come in from the North. The Shurtá, just received, is of course noteworthy as being the first considerable southern tributary. It rises in a wonderful realm of glaciers on the Nepalese frontier at the roots of the Ngo La, or " Blue Pass," which leads over the southern bounding range so often alluded to. On the other side of the Pass we are amid the early fountains of one of the Gandak rivers of Nepal.

This southern bounding range (the Nyinmo Namgyal) is really of great consequence. Lying far to the back of the main line of monster Himalayan peaks, which line we have learnt long ago is not the actual watershed of Indo-Himalayan streams, it forms the true water parting between the Indian and Tibetan river-basins. And the fact, that, during a course of 190 miles or so—from where its drainage makes the nucleus of the Támchhok Khabab down to the Ngo La, where the Shurtá rises—no Tibetan river is given off from a range well-stocked as this is known to be with snow-peak and glacier, is of great interest. It shows how considerable must be the supply to the Indian rivers of the North-West, especially the Kosi and Gandaks ; for, after the Támchhok Khabab has left its flanks, the down-flow from the Tibeto-Indian watershed is almost exclusively Indian.

SECTION : No. 2.

(From the Chhorta Tsangpo to Shigatse.)

The rivers which debouch into the Támchhok from the north are all of such considerable volume that they must have had a lengthy run before reaching the point of junction. Accordingly we ought to set back the northern watershed of the Támchhok many miles further north than the actual valley line wherein the channel runs. The incoming northern

rivers cut through the low lines of hills bounding this valley on the northern banks: whence, then, do they hail? One would imagine that, in all probability, the massive mountain range, practically a continuation of Mount Kailas, known to geographers as the Gang-dis-ri range (really Gang Tise Ri) stretching east across Tibet, gave birth to these feeders. This range passes eastward from forty to seventy miles north of the general line of our river, and in the main forms the southern watershed of the great lake plateau. However, recent exploration shows that, in the case of several of the great northern feeders of the Támchhok, in the first and second sections, they rise further north still than the Gang-dis-ri range, even on the lake plateau itself. They pass through gorges between lofty peaks in this range, much as do the Indian rivers in their course though the Southern Himalayas. We interpolate these remarks here, because the Chhorta Tsangpo, which bounds our Second Section, is one of the great feeders, whose early course has been traced back north beyond the Gang-ri range; its primary sources being found in certain lakes to the S.-W. and S. of Dangra Yum Ts'o.

East of the Chhorta, the exact course of the Yeru Tsangpo (or Támchhok) has been traced for about thirty miles. Then for a length of, say, 150 miles, its line of progress is only conjectural. At that point the explorer, Nain Singh, left the river side, proceeding E. by N., while the river itself, as he observed, proceeded E. by S. Its course evidently takes the form of a shallow bow-like dip, first E. by S., then slowly slanting up again E. by N.; for, near the important town of Jang Lhá-tse, $2\frac{1}{2}$ degrees further east from where he had left it, and almost in the same latitude as at the point of his leaving it, Nain Singh again encountered the wonderful water-way. Of this unknown portion of the river, we have personally ascertained that it first passes over an extensive plain named La-wa Mon-t'ang. Here the channel cuts deep down, evidently through soft alluvial soil. It then enters the mountainous district of Jong-nga, where glacier-charged streams again feed it, as in its very early flow. During the whole of this course, the river seems to bear the name of Me'-tsang Chhu, or "Lower Tsang waters" by which name it is still known at Jang Lhá-tse.

Nain Singh beheld the river next again at Nupsi, fifteen miles above Jang Lhá-tse. This is classical ground to Tibetan Buddhists. Here, north of the river, are numerous large monasteries, notably Ngam-ring, a famous place of pilgrimage. Just before Jang Lhá-tse is reached, the river makes a sharp bend up northwards and then keeps N. N. E. for twenty-five miles. Jang Lha-tse is an ancient place

with many monasteries within and around its walls. Here, too, is one of the great iron-chain bridges erected across the Brahmaputra by T'ung-tong Gyalpo, 230 years ago. Just where the Ráka, or Rákpa Tsangpo, a mighty tributary from due west coalesces with it, the river resumes its old course of S. E. direction. In this neighbourhood stands the lofty chhorten built by the engineer-saint T'ung-tong, or T'anang; and just below the apex of the river bend is the town of P'üntso-ling, with its fort and the large monastery of the heretical Jonangpa School, built by the founder of the sect in the days of Kub-lai Khan. Here, and again a little lower down, are other iron-chain bridges. Four massive chains, with links a foot in diameter, run from pier to pier of masonry, thus spanning the wide deep bed of the river. A precarious footway of wood and rope is supported between the chains

From P'üntso-ling Jong, and, indeed, from Jang Lhát-se, there is a regular system of boat-traffic down to Shigatse, utilised for passengers as well as for goods and live-stock. Hide boats are the chief navigable craft. Midway between P'üntso-ling and Shigatse, the second great tributary, from the south—the Re or Shre Chhu—flows in. It is a considerable river. The port of call for Shigatse and Tashi-lhumpo is Tungsum, about three miles from the former place, which lies off the main river. Two miles or so below Tungsum is the mouth of the well-known Penam-nyang Chhu on the southern bank. This is the river upon which Shigatse actually stands; and its size may be estimated by the fact that at Shigatse it is spanned by a bridge said to be 380 feet in length. The Penam-nyang river drains the whole of these parts of southern Tibet that border on Sikkim and West Bhutan, and its own tributaries ramify through much of the mountainous district south of Lake Yamdok. But the Penam-nyang is itself only a tributary of the Yeru Tsangpo, which therefore embraces within its southern scope the whole of those border regions. Taking the territory abutting Nepal drained by the Re Chhu, we may estimate, within the basins of only two southern tributaries of the Tsangpo, an area of some 5,500 square miles.

SECTION NO. 3.

From Shigatse to Tsetang.

Down to the point where the Penam-nyang Chhu joins the Yeru Tsangpo, we may compute the distance traversed by the latter at 545 miles. By this time it has assumed the form of our larger Indian rivers. It runs in several channels separated by long bars of sand, and often spreads out into broad

shallow reaches at least two miles across. At the mouth of the tributary flowing past Shigatse, the river widens in this manner. It was exactly there that the Englishman, Samuel Turner, gazed upon those unknown waters from a rock above Tashi-lhūmpo, in 1783. He notes that he beheld "the Brahmaputra" flowing "in a wide extended bed; and, as though the soil gave it an unwilling passage, it has forced itself through many channels and formed a multitude of islands in its way. But though its bed appears so wide extended from hence, I was told that its principal channel is narrow, deep and never fordable."

Leaving the mouth of the Penam-nyang, the river is bordered on the right bank by the Rong country, a district noted for its rocky defiles and gorges; on the left lies the district of Shang. Although bounding a district of ravines, so much of the right shore as lies adjacent to the river is an undulating fertile expanse, most carefully cultivated. Numerous valleys from the interior open out along this side, and these are neither wild nor rocky, but celebrated for their crops and general fruitfulness. Many villages lie along the track, which is never far from the river-side. At places the bank is so low that floods penetrate inland. On the left or northern bank runs a plain from three to five miles in width covered with much sand blown in from the bed of the river. Rounded hills, about 1,000 feet higher than the surrounding country, bound these plains to the north. About fifty miles from Shigatse, this range falls into the left bank of the river. Opposite this promontory, on the right bank, is the point to which the stream is navigable from Shigatse. The landing-place is styled *Tag-sa dru-kha*. Past this the river narrows and becomes too rough and shoaly for hide-boats. Also it here bends south, and, after a four miles run, a lofty offshoot from a mountain range to the south bears down to the river-side and stops, from this, the land-passage along the right bank. Along the base of the range, also, there comes in from the south-east a rapid river, the Rong Nag Chhu; wherefore up the left bank of this tributary the road leaves the Brahmaputra and makes for the shores of Yamdok Ts'o, wherein the Rong Nag Chhu rises.

Beyond the junction of the tributary from the south-east, the main river, for the space of eighty miles, as far as the famous Chaksam Chhuwori—the bridge near the mouth of the Lhasá river, is at present unreported upon. It enters a hilly country, and, it is said, falls over many rapids. But where it has next been touched by our explorers is one of the best known spots in its whole course. For there the great route from the west, *viâ* Shigatse, Gyangtse and Palte Jong, climbs up from Lake Yamdok over the Khamba La range, and descends from the

south into the Yeru Tsangpo valley, the name under which the Brahmaputra now travels. This route is the main one to Lháśá ; it passes over the Chaksam Chhuwori ferry (as the great iron-bridge is rarely usable), and up the valley of the Kyi Chhu to the sacred city.

Babu Sarat Chandra Dás, in his exploration report, thus describes the scene which breaks upon you as you descend from the Khambala Pass into this part of the Yeru valley :—

"The height we had reached was about a thousand feet above the level of the lake, though much higher than that above the level of the great river about to be seen. Passing the summit which faces the lake, we proceeded towards the *laptse*, the culminating point of the Pass. Here two large cairns stood on either side of the road, where my companions, taking off their hats, uttered mantras to invoke the mountain deities. . . . Advancing a few paces beyond the sacred cairns, I came to a point whence I saw one of the grandest views in Tibet. It was that of the valley of the far-famed Tsangpo whose sublime scenery, the like of which I had never beheld before, quite ravished my heart. My enchanted mind was made full with impressions of the scenery, and I liked to enjoy it to satiety. The great Tsangpo flowed at the base of a gigantic yawning chasm, which extended for miles between two ranges of lofty dark mountains, whose flanks, overhanging the river from the north, were covered with dark forests of fir-like trees. At the foot of these lofty mountains, but still in uplands above the river-brink, there were pretty looking villages with castle-like white-washed houses, most of the larger houses being surrounded with tall trees. A village on the other side of the Tsangpo was conspicuous for the amazing depth in the valley at which it was seen from the *laptse* of Khamba La, being surrounded by rugged and sombre mountains."

The road to Lháśá from the Khamba La strikes the river some seven miles north of the foot of the Pass, the point of contact being a little to the west of the mouth of the Kyi Chhu, and this is where the chain-bridge and ferry already alluded to are located. Great reaches of sand lie there, but the waters are so broad that the violent wind, very prevalent in the Tsangpo valley, raises frequent storms which make the passage across dangerous. Across the river, on the western jaw of the open-mouthed Kyi, is the port of Chhu-shul, with a gomda and 108 chhortens on a hill hard by, all said to have been erected by the engineer-saint who constructed the various chain-bridges spanning the Yeru Tsangpo. From Chhu-shul there is a systematic service of large hide-boats down the main river towards Tse-t'ang, the first stage, or half-way port, being the notable wool and cloth mart of Kyi-desho Jong, some

forty miles below Chhu-shul. In this course of the river, the current is very sluggish, the bed in places very wide, great expanses of sand intersecting the waters. The plain fringing the north bank in these parts is from two to five miles in width, full of villages and small convents, and bounded on the north by a range of low hills which eventually culminate in a fine peak 3,000 feet above the river-surface. This peak is nearly opposite Kyi-desho, and on its crags, an imposing spectacle, has been placed the great and ancient monastery of Dorje-t'ag—an establishment still belonging to the old Nyingma school of Buddhism, with a staff expert in Tantrik jugglery. At this point the river is described as flowing in one stream 800 yards broad, excessively deep from the contracted passage, and as teeming with fish. East of the T'ib Chhu, the southern affluent on which the cloth mart and port is built, the Yeru flows directly E. Here the enclosing valley is said to be grand and enchanting. In places it narrows into wild rock-walled gorges; elsewhere, and most frequently, it flattens out into great sandy reaches. Where wide and open, the lower spurs thrust out from the bounding hills, are covered with verdure and scaling trees; grain-crops and even fruit-trees, such as apricot, pear, and walnut, are made to flourish in every available spot. Large white-washed monasteries shine gleamingly in fantastic situations on the heights of the inner spurs; whilst many important hamlets and market-centres lie within easy access from this useful water highway. Twenty-four miles east of Kyi-desho, where the northern bank has degenerated into an extensive sandy plain, sloping up inland, the mighty monastery of Samye is reached. Its temples, with gold and copper canopies within a great walled enclosure, are prominent objects from the river.

Tse-t'ang, otherwise Che-t'ang, lies forty-two miles further east, where the Yarlung river disembogues its waters of the southern glaciers into the main-stream. And there terminates our third division of the great Tsangpo's course, after a stretch of 240 miles from Shigatse. *

SECTION: NO. 4.

(From Tse-t'ang to Gyalla Seng-dong.)

- * The large town of Tse-t'ang stands in long. $91^{\circ} 43' 25''$ E., and from thence the river is seen trending away to the horizon in a wide valley in a direction about E. N. E. A great snow-capped range, coming up from the south, seems to meet the river in the far distance, and cut off further view. At Tse-t'ang low hills come close down both to the southern and the northern banks, and across the former the road continues

along the right side of the river ; but any passage that way is said to become presently very dangerous, being beset by thieves, and later on by the wild truculent tribes of the Tsari district. The best method of advance appears to be to cross by a ferry named Nya-ko-drukha, three miles below the town, and proceed along the northern bank, through what is described as a "wealthy district," full of opulent monasteries and richly-cultivated slopes, with woods, gardens, and good roads. The chief monasteries on this side, within a few miles of Tse-t'ang, are Ngari Tatsang, Sang-ri Khángmar and Dansa T'il. Thence the river, after its slight northern inclination, flows nearly due east ; but, just before the 93rd meridian is crossed, it drops somewhat to the south. Between Tse-t'ang and this meridian, it receives several fine branch-rivers from the north, the chief being the Mik Chhu, or Zingchi Chhu. The districts on the left bank are Wo-kha, Nang-po, and eventually Kong-po, which latter district occupies both sides of the river.

In Kong-po, in long. $93^{\circ} 12'$ or thereabouts, the Yeru Tsang-po makes a sudden and extraordinary bend to the N. N. E., the direction being about 23° east of N. The bend occurs just where the Khyimdong Chhu from the south flows in. This run continues about seventy miles, when it becomes rather more easterly, pursuing a N.-E. progress for some fifty miles further, until, in lat. $29^{\circ} 56' N.$ and long. $94^{\circ} 4' E.$, its northernmost apex is gained.

This point in the river's course is the chief landmark in the whole run through Tibet ; for now it starts on that great and sudden dive to the south, which is destined to carry it out of the country. At the northernmost point, therefore, we have the Yeru bending sharply on itself, with an inner angle of 80° , and proceeding first S. E. by S. then S. S. E. A lofty mountain range from the S. runs up to the apex within the bend, and, aided by another range above, or to the north of, the bend, running N. N. W. to S. S. E., seems to be the mechanical cause of this sudden southerly deflection. Passing now down the stream, we soon reach Gyalla Seng-dong, with the fort on one side and the monastery on the other side of the river, at a distance of sixteen miles from the northern climax above mentioned. From Tse-t'ang to this stage, it is difficult to estimate closely the length, including winds and loops, but 295 miles may be considered a fair approximation to the truth.

This section, from a few miles east of Tse-t'ang to Gyalla Seng-dong, has not been subjected to very careful exploration. It has been traversed by two native agents of the Survey of India, namely by G. M. N. in 1878 and by K. P. in 1886-87 ; but their surveying capabilities were only rudimentary. In our

map we have placed several localities derived from other native sources, and have corrected the spelling of names given by G.M.N. and K. P.

From Tse-t'ang eastwards, the Yeru is bordered on the south by a country viewed with mixed horror and veneration by Tibetans of the Central Provinces. Here, between the 92nd and 93rd meridians to the south, lie the districts known as A-yul and Jya-yul, and then the mystic Tákpo country (spelt *Dvag-po*) is entered. In Tákpo is the famous place of pilgrimage named Tsári T'ugka, and nearly forty miles S.-E. of this Tsári is the great snowy peak of Pal Tsári, which is the *ultima Thule* of Tibetan pilgrimage, involving a fortnight of hard travel from the banks of the Yeru Tsangpo. Tsári peak is said to be covered with thick pine forests at its base. The chief risk of journeys in Dvag-po and Tsári arises from the savage tribes dwelling across the ranges to the south of these districts, who appear occasionally to make raids on pilgrim bands. It is significant that the rest-houses, provided by the Tibetan Government in the country just here as well as in those tracts within the northern loop of the great river, are designated *fik-kyop*, or "fear-escapes."

Long ranges of hills radiate from the peak of Pal Tsári; those branching S. E. forming the water partings between the head-streams of the Kamla and the Subansiri, which eventually combine to make the river known in Assam by the latter name. A lofty branch from Tsári, however, runs up N. E. within the loop of the Yeru Tsangpo, and that range makes the southern watershed of the river, effectually shutting its waters out from any conjunction with the feeders of the Subansiri. Another range running N. N. W. from the S. E. forms with the Tsári range an inverted V. shaped angle right up within the northern apex of the Yeru, and again keeps the waters from joining the Subansiri stream during their great southern flight to the Abar country.

When, however, the river has turned the sharp northern angle, just before Gyalla Seng-dong is reached, one unaccountable characteristic concerning it seems to be this—the comparative want of breadth of the waters as reported by the two surveyors. In places, indeed, from so far back as the Tákpo (*Dvag-po*) district—before the northern bend begins—the river is said to be very narrow. At Gyalla Seng-dong, where the level above the sea has sunk to 8,000 feet, it is stated to be only 150 paces or about 110 yards in width.

SECTION : No. 5.

(From Gyalla Seng-dong to Sadiya in Assam).

At Gyalla Seng-dong the river seems to prepare for its drop into much lower regions than the Tibetan table-land. It here runs in deep gorges, probably more than one—the explorer refers to two other streams besides “the Tsangpo”—and a cascade of 100 feet in depth occurs at this point. Politically and commercially the place is an important centre. Trade routes from the Lhasá-China high-road through Kongpo, from Tsári, Tawang, Bhutan and the S.-W., from the P’oba country and Yunnan, and from Assam, appear to culminate here. Moreover, the barbarous border tribes to the south are not allowed to advance further than this in the traffic they carry on as middlemen in the commercial relations between Tibet and Assam. The numerous Jongs, or forts, presided over by representatives of the Central Government, which closely dot the country round, attest that vigilant supervision is deemed essential in these parts. From Gyalla Seng-dong southwards, however, there is only one Jong in the space to the frontier line 100 miles distant, the territory being of debateable ownership and being practically under the domination of Lho-pa tribes, who are probably identical with those known in Assam as Miri, Migi, and Abar.

The river from lat. $29^{\circ} 35'$ seems substantially to take a southern direction, making every now and then a slight advance to the east ; but it does not assume a really S. E. course until another degree to the south has been traversed. Indeed the longitude at Puding in lat. $28^{\circ} 35'$ is apparently almost identical with that of Gyalla Seng-dong. The general level of the stream still continues to drop ; and waterfalls are frequent. Some thirty miles beyond the last-named place, it passes over a cliff said to be 150 feet in height. Villages line the banks closely, and the further south one proceeds the larger and more populous are these communities. As we progress further south, the characteristics and customs of the inhabitants undergo a radical change. No monasteries are met with below lat. 29° , and the Tibetan language is no longer the vernacular. At Shobang, in lat. $28^{\circ} 37'$, that domestic system so distinctive of the aboriginal tribes of India—the provision in each village of a detached common sleeping place for the elder boys and of another for the unmarried girls—is first found. In the places lower down on the Tsangpo, this usage everywhere prevails.

At Shimong, in lat. $28^{\circ} 26'$, the great river commences a determined course to the east by south, and after the confluence of the Nyágrong Ohhu from Dza-yul in long. $94^{\circ} 34'$ the course becomes almost due east. Below the latter point of junction, no

agent of our Survey Department has penetrated. K. P., who reached this point from the north, mentions the name of the next place, about four miles lower down, as Miri Padam, and thence to the mountain gorges whence the Dihang embouchure opens is all *terra incognita*. But at the outside the distance from Miri Padam to the highest point reached on the Dihang from the south (*i.e.* by Wilcox) cannot exceed sixty-five miles. However, the main run in that hiatus is evidently easterly, because, while the conjunction with the Nyágrong occurs in long. $94^{\circ} 34'$, the Dihang is first seen issuing from the lower broken ranges in long. $95^{\circ} 25'$. From the observed run of the valley and the "lie" of the mist-clouds above the conjectured bed of the river, doubtless the turn of the river's course from east to south, in order to cut through the last ranges of the Himalayas, is very abrupt. Moreover, at Miri Padam it has already reached too far south to allow room for any gradual bend. In a direct line due south, Miri Padam (as may be seen from the map) is barely twenty-five miles from our own territory. The river there, however, curves due east, and traverses a distance of some seventy miles to reach the known point where, turning S. S. E., it issues forth as the Dihang.

THE DIHANG AND EASTERN BRAHMAPUTRA.

But let our river now be considered in relation to the point where, as the Dihang, or Dihong, it joins the main stream of the Brahmaputra, which it meets sweeping in a broad channel from East to West. Now let it be borne in mind that the Brahmaputra is already fairly in existence as a distinct river long before the Yeru Tsangpo (as the Dihang) joins it; and therefore it is a little inexact to speak of it—as is the custom—as being a continuation of the Tibetan river. Indeed, prior to the conjunction, it has already been flowing in a noble expanse from the Brahmakund pool, where it freed itself, as a turbulent mountain river, from the Mishmi hills. Further up in those hills, moreover, it has had a lengthy progress. The primary sources of the Eastern Brahmaputra are in fact in Tibet itself, although much further east than the upper waters of the Dihang. Those sources are the two rivers known as the Dzáyul Chhu and the Rong T'od Chhu, which drain and flow from N. to S. through the twin valleys of Dzáyul-med in S. E. Tibet. Coalescing before escaping from that mountain-locked district, the united rivers cut through the southern range separating Dzáyul-med from the Mishmi country, and thence, as the turbulent mountain river above mentioned, pass across the latter tract W. S. W. into Assam. Below Brahmakund, the waters, having developed into a considerable river, proceed from long. $96^{\circ} 23'$ due west. Thence,

during a course of 80 miles, to the first union with the Dihang, the Brahmaputra—here sometimes styled the Taluka and sometimes the Lohit—receives no fewer than ten affluents of large draught, the chief being the Digaru, the Prenga, the Dhuli, the Dip'u, the Khundil, the Tenga-pani, the Noa Dihing and the Dikrang. Near Sadiya—fifteen miles above the first influx of the Dihang—the river has grown so broad as to include several large islands. Then the Dihang and the Dibang (which has just been augmented by the Sesiri) coalesce to meet the Brahmaputra in one combined stream, coming from the north at right angles to the Indian river. The Dibang-cum-Sesiri from the east unites with the Dihang about two miles previous to their union with the Brahmaputra. This forms the principal mouth of the Dihang.

Another and smaller branch of the great Tibetan in-flow makes entry about five miles lower down the Brahmaputra, the space between the two mouths of the Dihang being really the base line of a tall delta, the top angle of which lies far up the latter river. Its formation evidently has been brought about by the vast volume of water and the velocity with which that volume descends the steep gradients from the hills. An enormous mass of silt in solution, borne down thus violently, is suddenly checked, first by the Dibang stream meeting it with its output of 27,200 cubic feet of water per second, and next, still more determinedly, by the 33,800 cubic feet per second of the Upper or Eastern Brahmaputra, cutting it at right angles. The silt so checked has been deposited and in the lapse of centuries built up the pear-shaped delta. This second branch of the Dihang is much narrower than the main or first branch, the discharge being usually under 5,000 cubic feet. The bifurcation forming the delta occurs some fourteen miles up the stream ; and, while the main limb retains the name of Dihang, the smaller is known as the Lali-panj. Above the point of bifurcation, the measure of the discharge of the undivided river must be estimated at about 60,000 cubic feet per second ; for we do not think the late Captain Harman included the Lali discharge in his measurement of 55,500 cubic-feet made in 1878 for the Dihang above its junction with the Dibang.*

* Admeasurement of the respective discharge of these rivers has been carefully made more than once ; first by Wilcox in 1825-26 and again in 1878 by the late Captain J. E. Harman. The calculations taken in December 1825 were not repeated in a winter month by Harman ; so these stand alone as the record of the discharge of the rivers at that season. But measurements in spring were made both in 1826 and in 1878 ; and it is surprising how closely those estimates agree together, although taken fifty years apart. We have given above the spring record,

Ascending the main stream of the Dihang, its appearance is majestic. Even where the waters exceed a mile in breadth, they sweep on in a deep swift flow. Some ten miles up, where in places they narrow to 500 yards, the enormous discharge being thus compressed, the current develops into mighty rapids. Upward navigation consequently becomes a laborious task. Two or three Miri villages occur on the west or delta-side of the river, which produces larger than mere jungle timber. The left-hand, or eastern, bank is occupied by the Abars, whose villages, however, lie inland, the chief stronghold being Membu, some twenty miles from the Dihang. Large numbers of deer frequent the banks where the ground is low, and, notwithstanding the strong current, even swim across stream. During the high summer rise in the waters, which does not reach its climax until June, the breadth of the Dihang, even above the point where the river parts in two, again approaches one mile, and occasionally exceeds that width. Then, again, a mile or so higher up, navigation, though it is still resorted to by the villagers on the banks for short trips, is almost impracticable. Eight miles above the delta-angle, the low broken hills of the outermost range of the Himalayas begin to start up. Here and higher up the mighty waters are in places parted into two or three deep channels separated by vast reefs of rock, each channel with violent current chequered by several falls twenty to forty feet high over which the streams drop with thunderous roar and clouds of vaporous spray.

The route up-country, as followed by the Abar tribes who occupy the banks of the Dihang above the delta, keeps mostly near the river-side (though the large villages lie off the river), for the banks along the hills, though besetting and precipitous, are not at all lofty. Colonel R. G. Woodthorpe estimates the average altitude of the hills besetting this portion of the river at only 4,730 feet, and the passes from the western valleys into the valley of the Dihang at 3,500 feet or under. Even much higher up, and as far as the valley can be traced with the telescope, it has been observed that the contour of the country round the river is low and undulating. Only a few isolated summits away to the north rise to five and six thousand feet, and the river, which bends abruptly in from the west, does not pass very near these northern peaks.

The river-banks, 25 miles up from the Brahmaputra, are all very steep; but water is plentiful among lateral gorges above the banks on each side. Looking across the valley to the slopes on the other side, you descry waterfalls rushing down in every little ravine; and if you travel along the circuitous pathway which, at varying height, leads round each spur, torrents must be crossed, at frequent intervals. The route to be

traversed commonly follows upward the course of some stream, and that without evading the boisterous cascades, through the spray of which the traveller ascends with only such footing as is afforded by the wet moss-coated rocks, where the slightest slip would ensure immersion in the water.

No traveller of European birth has ascended the Dihang river-side higher than within the first lower ridge of hills.* The Abars, with their poisoned arrows and their murderous propensities, are the wholesome deterrent to all such enterprise. Such emissaries of the Abars as visit Sadiya to receive the annual payment bestowed on the tribes as a bribe to refrain from looting the cowardly Assamese, speak in big terms of their own prowess and their numbers. Nevertheless, Colonel Woodthorpe, who had good views from neighbouring heights of their principal villages, thinks that the size of the villages, and therefore their numerical strength, have been greatly overestimated.†

THE BRAHMAPUTRA IRAWADI CONTROVERSY.

The Dihang, by reason of its noble size, is worthy to be the continuation of the great river of Tibet; and that it is, in fact, one and the same is generally deemed all but a certainty. An emissary of the Survey of India has traced the Tibetan river almost down to the southern line of demarcation betwixt Tibet and Assam—roughly, it is true, but his narrative is circumstantial enough to enable our experts to assign the point he reached with tolerable exactitude. From the south, moreover, the valley of the Dihang has been followed up to the low hill ranges to a point 65 miles E. S.-E. of the other point laid down on the Tibetan river. The question is—does the great river connect these two points thus brought so close together?

Captain Harman reasonably thought that the most conclusive way to prove the identity of the rivers without actual survey would be to throw in the water a certain number of marked logs at any place low down on the Yeru Tsangpo

* Probably the furthest penetration in modern times into the Abar country was an excursion made by Mr. J. F. Needham, political officer at Sadiya, and some friends in 1885. They ascended the Dihang some 24 miles, their craft being drawn by ropes up several rapids, and then landed on the eastern bank. Thence they pushed their way N.-E. through difficult country, and by dint of pluck succeeded in reaching the Abar village of Membu, or Mebor, quite within the mountains.

† However, Colonel Woodthorpe's deductions cannot be accepted conclusively. For example, one of the places he viewed was Mebor, which was subsequently, in 1885, visited by Mr. Needham's party, who brought word that it contained about 300 dwellings, with a population which they estimated at 3,000, each dwelling harbouring a family of two or three generations.

accessible to some one of the survey exploring agents. If, then, these logs emerged below in the Dihang, the problem was solved. In fulfilment of this idea, the emissary mentioned above, K. P., was sent into Tibet in 1880, with the injunction to make his way to Gyalla Seng-dong, and there cast 500 logs of a defined shape into the river. At the same time Captain Harman had arranged that watchers should be stationed at the junction of the Dihang and Brahmaputra to ascertain if any of the logs passed that way. Owing to the bad faith of a Chinese lama who, accompanied K. P., who when in Tibet, sold him into slavery, the project for the time was not put into execution. Eventually, however, K. P. escaped, and after many vicissitudes, he, with commendable trustiness, succeeded in performing his portion of the scheme. He secretly cut his wooden floats and launched the whole 500 in a better place than that pre-arranged, namely at Bepung, about 35 miles lower down the stream, and nearer the frontier than Gyalla Seng-dong. However, this was done in 1883, three years after the time settled by Captain Harman, and when the watchers on the Dihang had ceased to expect the logs. Thus, whether the logs came down or not, the plan failed; but, even if the watchers had been on the alert, it must be remembered that the stretch of the river, with its currents and rapids, which the wooden messengers had to traverse from Bepung, was over 160 miles in length.

The attempt at ocular demonstration having miscarried, we may turn to inferential proofs:—

1. Our first position is this. If the Yeru Tsangpo, brought down to a point 65 miles distant from that part of the Dihang daily visible in British territory, does not connect with that river, whither then does it flow? The southernmost place to which it has been fairly traced lies approximately in lat. $28^{\circ} 18' N.$, long. $94^{\circ} 36' E.$ Does it then suddenly turn S.-W. and flow into the Subansiri? But three great feeding branches of the Subansiri, each draining vast mountain-locked valleys to the west, have been already scientifically observed. If to their sources were superadded the waters of the mighty Tibetan river, could the discharge of the Subansiri in Assam by any possibility dwindle to 16,900 cubic feet per second, as measured by Captain Harman? No, indeed, avers the French School, the Yeru Tsangpo cannot flow S.-W. into the Subansiri; no, on the contrary, it turns and flows due east for some 100 miles or so, and then, when the northern verge of the Mishmi country has been reached just beyond the 96th meridian,

it is diverted in a S.-E. direction to skirt the southern side of the mountains walling in the Upper Zayul valley to the north, whence it enters the recognised basin of the Irawadi about lat. $27^{\circ} 40'$ N. and long. $97^{\circ} 25'$ E. However, a few glances at the revised map of these districts will demolish any such theory as the foregoing one. The Yeru Tsangpo has been followed south to lat. $28^{\circ} 18'$ N., and if we then carry it, as proposed, due east from there, where are we to work in the head-waters of the Dihang—the Dihang with its lowest summer discharge of 66,000 cubic feet per second? The course of this river, presumably from the west, would have to be pressed down, some miles at least, south of the parallel $28^{\circ} 18'$ N., that it might not coalesce with the course of the Yeru. Next, when we had traced it back west, it must somehow find its enormous water-supply amidst the feeders of the Subansiri.

It was lately argued that the northernmost of the valleys formed by the ranges radiating from Tsari—that valley high up within the loop of the Yeru Tsangpo in the Gipmochen tract, might well prove the feeding-ground of the Dihang; i. e., one small valley to make the mighty Dihang, while three of the same pattern further south are required for the Subansiri, which discharges one quarter the water of the Dihang!

2. Worse difficulties occur from the east. The conjectured course of the Yeru into the Irawadi valleys must be manœuvred so as to avoid contact with the early courses of the Dibang and Sesiri rivers, which rise at least as far north as lat. $28^{\circ} 35'$ N., so the Yeru ought to sweep up further north than that latitude before turning again South-East. It would for this purpose have to mount to a district of *much higher general level than that from which it had flowed*, most probably ascending from 5,000 to reach 8,000 feet, the estimated level of the country north of the Dihang sources! * Moreover, as it turned S.-E. and passed within the Mishmi country S.-W. of Lower Dzayul, the flow upward would be still steeper. An equally arduous

* That the general level of the tracts lying east of the traced southerly course of the Yeru (from Gyalla Seng-dong to Miri Padām) slopes upward as you pass eastward to the bounding ranges of Dzayul, is evident from the fact that all the observed rivers east of long 95° flow determinedly westwards. Thus the great river which A. K. reported as leaving the Ata Gangla range in lat. $29^{\circ} 25'$ E., namely the Nagrong Chhu, proceeds unfalteringly westward across the very district through which the Yeru, to join the Irawadi, would be flowing eastwards!

task would have yet to be attempted before the Irawadi was gained. The mother stream of the Eastern branch of the Brahmaputra would be encountered in the Mishmi country running from N.-E. to S.-W. to enter N.-E. Assam. Unless, then, one large river can neatly cross the course of another, the Dzáyul Cihhu (as the Upper Brahmaputra is here styled) would effectually bar back the Yeru in further progress to the Irawadi. Our map will show this clearly.

3. The exploration of A. K. proved that no great river from the west entered Dzáyul-med (Lower Dzáyul) through its lofty western barrier-mountains, to wit, the Ata Gang La range. Thus the possibility of any round-about route further to the north and thence into the Irawadi is put away.
4. By the later investigations of Colonel Woodthorpe and Major Hobday, now confirmed by the journey of Prince Henri d'Orléans, the whole argument is practically disposed of; because the actual sources of the Irawadi have been almost exactly located. The three primary feeders have been traced nearly up to the base of the great Kha Karpo range, which, to the north, walls them off inexorably from Lower Dzáyul; while, to the East and North-East, another range clearly shuts off communication from any Tibetan river proceeding to the south *via* the gorges of Western Yunnan. But, again, let the reader consult our map.

The conclusion, therefore, is irresistible. It is the Yeru of Tibet which passes south through the Assam-Himalayas, and which shows itself, in about long. $95^{\circ} 20' E.$, as the river known in Assam as the Dihang and ultimately as the Brahmaputra.

CONCLUDING REMARKS.

As to length, our river may have assigned to it an extent of 1,308 miles up to its union with the Eastern, or Upper, Brahmaputra. Then, adding the course onwards to the mouth of the Megna, in the Bay of Bengal, we may put the full lineal measurement at 1,920 English miles from source to sea.

Again, the catchment-area of the river should be estimated. It rises, as we have seen in the morass, fed by glaciers, of the Nyimo Namgyal range, hard by the Manasarowar lakes; and it drains the whole of Southern Tibet substantially from long. $82^{\circ} E.$ to long. $93^{\circ} 30' E.$, its northern influence so far being limited to the south of lat. $31^{\circ} N.$ However, further east its basin becomes more restricted, not extending so far to the

south as is the case in the western parts. Having next abruptly curved up to the north as far as the 30th parallel of latitude, it there receives a drainage from about a degree of territory further north than that parallel. Then, as suddenly running down S. S.-E. for about 170 miles, near but beyond the 94th meridian, the river absorbs the waters from the country lying to the east of this southern course, even as far as to the 96th meridian. Thus, before the Yeru Tsangpo enters Assam, its basin has extended through 14 degrees from west to east with an average breadth, north and south, of $2\frac{1}{2}$ degrees throughout; with a drainage covering some 112,000 square miles. Such is a rough estimate of the dimensions of the stupendous superficial area over which the great water-artery of Tibet causes its absorbent effects to be felt.

When the river rises in the Chyema Yungdrung springs, its bed lies 14,700 feet above the level of the sea. After a course of 540 miles to the neighbourhood of Shigatse, its elevation has fallen only 2400 feet, giving a gradient of descent of nearly $4\frac{1}{2}$ feet to the mile, or 1 in 1187, east to Tse-t'ang. The rate of descent continues almost precisely the same, the fall being 1,000 feet in 242 miles. In the next 250 miles of the river's course, however, the downward gradient increases amazingly; the descent in that space being 3,300 feet or 13 feet per mile. South of Gyalla Seng-dong, where the altitude is 8,000 feet, we have no certain record; but the drop is believed to be very rapid, as the general level north of the Assam Himalayas, taking the height of the abutting peaks, can hardly exceed 3,500 feet. Then, when, as the Dihang, it has fairly cleared these mountains, the wonderful river, once a water-way, 14,700 feet above sea-level, is found flowing at an elevation of less than 800 feet. Finally at the tri-junction with the Dihang and Brahmaputra, the level is 420 feet.

GRAHAM SANDBERG. . .

ART II.—THE CIVIL CODE OF ZURICH.

A PART from Federal laws, there are some twenty-five or thirty different Cantonal Civil Laws for the two and a half million inhabitants of Switzerland. Nor do these all belong to the same family of law, Switzerland being the meeting point of three different races. In a majority of Cantons, German law flourishes in a state of purity which has not been maintained in Germany itself; the other Cantons are ruled by French or Italian law, that is, by the Roman law, more or less modified, the basis of the legislation of western and southern Europe.

The six non-Germanic Cantons constitute what is called Roman Switzerland. They are Fribourg, Geneva, Neuchâtel, Valais, Vaud, and the Tessin. They each have a Civil Code, in French for five of them, and in Italian for the Tessin. Of the nineteen other Cantons, some have complete Codes, others have only fragments of written Civil law, while others have no Codes at all. Since 1880 certain Federal laws have been passed dealing with certain portions of the Civil Law, and, as regards these portions, such laws of course supersede and exclude the separate Cantonal laws.

FEDERAL CIVIL LEGISLATION.

Up to a comparatively recent date, the various Cantons were absolutely sovereign as regards their Civil laws, and there were only a few points on which some of them had agreed to limit such independence by inter-Cantonal *concordats*; for instance, defects which render a contract void, mixed marriages, &c. This independence caused serious inconvenience, and, with a view to introduce uniformity in certain matters of general interest, it was decided to revise the Federal Constitution of 1848. The text was altered, and finally adopted in 1874. Article 53 declared that the civil status and the maintenance of the Registers in connexion therewith were within the province of the civil authorities, and that the Federal Legislature would legislate on the subject. Article 54 placed the law of marriage under the protection of the Confederation; while Article 64 reserved to the Confederation the right to legislate concerning civil capacity, the law of obligations, including commercial law, and the law of exchange, literary and artistic property, and actions for debts and bankruptcy. The rest of the Civil law was left within Cantonal competence.

Since the adoption of the Federal Constitution of 1874, several Federal laws have been passed on the above subjects,

the principal of which is the Federal Code of Obligations of the 14th June, 1881.

CANTONAL CIVIL LEGISLATION.

There are complete Civil Codes for the Cantons of Fribourg, Geneva, Neuchâtel, Valais and Vaud (French Switzerland); for the Tessin (Italian Switzerland); for Argovie, Berne, the Grisons, Lucerne, Schaffhouse, Soleure, and Zurich (German Switzerland). Glaris and Zoug have had a Code for a few years, from which, however, the law of obligations is omitted, the Constitution of 1874 having placed it within the Federal domain. Thurgovia and Nidwalden have commenced to codify, and have passed two or three of the four or five books of which the German Civil Codes are generally composed. The three Cantons of Schwytz, Uri and Saint Gall and the three semi-Cantons of Obwalden, Appenzell, and Bâle (country) are ruled by old customs or local statutes. For the Town of Bâle there is a remarkable project, which has not yet been passed into law.

Some of the complete Codes are based on the French Civil Code, others on the Codes of northern Italy. The Code of the Tessin is the only Code in the Italian language, unless one adds the Code of the Grisons, of which, in addition to the original German text, there is an official Italian edition. The eleven more or less complete Codes of German Switzerland are divided into two groups. The Codes of Central Switzerland, passed between 1830 and 1850, are modelled on the Austrian Civil Code, though they give full play to local customs; those of Eastern Switzerland follow the Code of Zurich as their pattern. Two others, those of the Grisons and of Glaris, stand by themselves.

The first projects prepared by Bluntschli for the Canton of Zurich go back as far as 1844. This Code, since its promulgation, has served as a basis of codification for all the small neighbouring Cantons, some having almost textually copied it, while others have borrowed largely from it. Of all the Swiss Codes, it is the most worth study, owing to the importance of the Canton itself, the European reputation of its framer (Bluntschli), and the decisive influence it has exercised on ulterior legislation. Moreover, the revision it underwent in 1887 gives it an additional interest, as by such revision it has been brought into complete harmony with the Federal Code of Obligations passed in 1881. A Federal law on a particular subject, of course, takes precedence over a Cantonal law on the same subject, and after the passing of the Federal laws of 1874 and 1881 some inconvenience was caused by giving the judges considerable latitude of discretion in the application

of the respective laws. It was found necessary to revise the Cantonal Codes, and it is in pursuance of such policy that the Civil Code of Zurich was brought into harmony with the Federal law, and issued as a revised Code in 1887.

PARTICULAR PRINCIPLES IN FORCE IN GERMAN SWITZERLAND IN THE MATTER OF CIVIL LAW.

1. *Law of Persons.*

The abstract notion of domicile, such as is known to the French law, that is, which is often independent of an effective habitual residence, is quite foreign to the German law in general, and to the Swiss Codes in particular.

Prolonged absence may lead to a judicial declaration of decease, having the same effect as the proved decease.

Judicial capacity, and the circumstances determining or modifying it, differed considerably until recently in different Cantons. For instance, the age of majority varied from 19 to 24 years, while women were subjected to many disabilities *propter imbecillitatem sexus*. In such matters uniformity has since been introduced by the Federal Law of 1881, which, however, has left untouched the local laws concerning Guardianship. Guardianship has everywhere the character, not of a family institution, but of a public institution, in which the family has only a subordinate part to play.

It has, however, been doubted whether the guardianship of authority has conferred on minors as many guarantees as the guardianship of the family in French countries with its incessant appeal to the family spirit, devotion and disinterestedness.

Before attaining his 20th year, that is, the legal age of majority, the minor can be emancipated; but this emancipation does not create, as in France and Italy, an intermediate state between the absolute incapacity of minors and the full capacity of majors; it at once confers the rights of majority by anticipation.

2. *Law of the Family.*

Before 1874 there was a chaos of varying Cantonal laws, and on the subject of marriage, the requisite age, impediments, publication, modes of celebration and proof, means of relaxing or dissolving the conjugal bond; and that not only from Canton to Canton, but even between citizens of the same Canton who might belong to different churches. Uniformity on these subjects was introduced by the Federal Law of the 24th December, 1874. As regards all that concerns matrimonial settlements and the control of the property, the Cantons are left to legislate as they please. The system

almost universally adopted is a system without joint ownership, according to which the husband has the exclusive management and enjoyment of the wife's property.

Adoption is regarded as an exceptional institution, and is unknown in a certain number of Cantons. Legitimation can take place, not only by subsequent marriage—which is everywhere admitted—but also by an adjudication as to the father in the case in which he would not marry the mother, or by a judicial judgment when the children have been born on the faith of a promise of regular marriage the realisation of which has been prevented by death.

The voluntary recognition of natural children has but a very small place in the Codes of German Switzerland; some do not even mention it. But the compulsory recognition by the father is the subject of minute provisions. In some Cantons an action may be brought by the mother for a declaration of paternity, while in others she can only get compensation or a pension.

A certain number of Codes give the benefit of legitimacy to children born without marriage, but during the period of regular betrothal or engagement (*Brautkinde*), when the marriage could not be celebrated owing to circumstances independent of the will of one of the parties. Such a provision seems natural and just, seeing that it was only after the Council of Trent that the religious ceremony became the essential ceremony; before that it was sufficient if vows were solemnly exchanged in the presence of the two families, and followed by consummation.

3. *Real Rights.*

The theory of possession in the Codes of German Switzerland is more advanced than in the French Code, mere possession being protected by the law against all violence or disturbance, and a possessory action being given analogous to that which was given by the Roman law to the possessor *cum animo domini*.

Co-ownership is treated under the double form of property, simply undivided, of which several co-parceners have each a certain share not yet separated off (*mitrighenthum*), and of common property (*gesamnteigenthum*), which supposes that each of the co-sharers is owner of the whole, subject to the restrictions caused by the similar rights of others. Such common property, foreign to the Roman and French law, still holds a considerable place in most of the German Cantons, especially for the rights of pasturage in the Alps.

Property passes only in virtue of the carrying out of certain formalities. Ownership is not acquired by mere possession;

it is necessary that such possession should continue for the period required by prescription.

4. *Law of Succession.*

Succession is essentially a family right in all German legislations. It is, then, mainly regulated by the law, and is testamentary or contractual only in a subsidiary degree.

The surviving husband or wife is generally classed among the heirs, and inherits with the most favoured of them. Natural children have no right as regards paternal succession, but are assimilated to legitimate children *quoad* the mother and maternal relatives.

The principle of division in equal shares between the paternal and maternal lines is followed in Zurich, Zoug, Bâle, Thurgovia, and the Grisons. Schaffhouse is, with Neuchâtel, the only Canton in which is still applied in all its rigour the old system of *paterna paternis materna maternis*. In the Cantons of Unterwald, Schwytz, Uri and Lucerne, the succession goes, in fault of descendants, entirely to the paternal line; in Appenzell, Saint-Gall, Argovia and Solcure it goes to the relative who is nearest in degree and to the surviving husband or wife.

Females are no longer excluded by males, but sometimes they have a right to a smaller share only, and sometimes they are absolutely excluded as regards certain kinds of property, while permitted to share other kinds. The Code of Zurich still presents some curious examples of these peculiarities, but the principle of division in the proportion of five parts for boys and four for girls (which was embodied in the Code of 1854-55) was abandoned in 1887 in favour of the principle of equal division between the children of both sexes. Even among male heirs there are some anomalies in Switzerland, for the superior right of the youngest son is still recognized by the Codes of Berne and Solcure.

The proportion of the property which may be alienated by will, varies infinitely, according to the origin of the property and the proximity of the heirs interested. In the district of Einsiedeln (Schwytz), in virtue of very ancient customs, the power to make a will is absolute. "If any person," says the ancient customary law, "wishes to tie the whole of his fortune to the tail of a dog, he is free to do so." But, with this exception, the power of testators is strictly limited, especially when they leave descendants. In such a case, nothing can be willed away in Schwytz and Obwalden; in Appenzell only 2 per cent. of the net property, in Zurich 10 per cent., Glaris 15 per cent., and so on. In Schaffhouse the testator can dispose of the whole of his property only if he leaves no relations at all.

As a rule, the heirs who accept the succession are bound to pay the debts of the deceased *ultra vires hereditarias*, and they can rid themselves of such obligation only by refusing the succession.

CIVIL LEGISLATION OF ZURICH.

It is some forty years since the want of a proper Civil Code began to be seriously felt in the Canton of Zurich. The country was still ruled by the *Stadt-und Landrecht* of 1715 and the *Stadterbrecht* of 1716, supplemented by local statutes or customs, going back in some cases to the 16th century. These no longer answered to modern requirements, and the Government recognised the necessity of making a *tabula rasa* and building on a new basis. The task of framing a code was entrusted by the Grand Council of the Canton to Jean Gaspard Bluntschli, who was born at Zurich on the 7th March, 1808, and had been, since 1833, Professor of German private law in his native town.

In 1844 appeared the first project of the Law of Persons, the Law of the Family, and the Law of Succession ; in 1851 that of the Law of Things, and in 1852 that of the Law of Obligations.

The spirit in which Bluntschli worked may be best stated in his own words : " In studying the juridical monuments of the past, the legislator will at once see that they contain much that is obsolete ; all this he must boldly sacrifice, while taking care not to touch what is still good and solid. Other portions he will find strangled, or ill developed ; it will be his task to give them space and the form which suits them. He must at once reform and restore, clear away rubbish and consolidate. From this point of view his mission is primarily conservative. But, on the other hand, if he would satisfy the needs of his time, he must not remain immobile and immovable ; he must remember that his work, to be useful, must, above everything, be a useful work. He must study the inmost and actual requirements of the people for whom he is called upon to legislate, and must harmonise legal systems with the national traditions and the needs of the time."

The Code was finally passed in 1854, and, as soon as it was promulgated, Bluntschli published a commentary, which, considering that he was also the author of the code, faithfully and clearly interprets the spirit and sense of the law. Subsequently, as has been stated above, some new local laws were passed, and especially the new federal laws on obligations, civil capacity and marriage. A revision of the Code was imperative, and for this purpose the Government appointed a Commission of judges and jurists. The text was finally approved by them on the 27th October, 1886, adopted by the

National Council on the 19th April, 1887, and submitted to the people, conformably to the Zurich constitution, and ratified by them, on the 4th of the following September. The figures of the popular vote are significant :—

Inscribed electors, 75,837—Voters : 53,820 For the law, 31,930, against 11,076. Blank papers, 10,771, invalid papers, 43. The Code of 1887 came into force from the 1st January, 1888, and is now the Civil Law of the Canton of Zurich.

POLITICAL AND JUDICIAL ORGANISATION.

The Constitution of the Canton of Zurich is dated the 18th April, 1869. The Canton contains 11 districts (*Bezirke*), with 199 Communes.

The people directly exercise sovereignty, in this sense that they choose all the officials (for three years), and almost all the judges (for six years), and that they participate with the Cantonal Council in the making of the laws, thanks to their dual prerogative of the initiative and the *referendum*.

Subject to the above reservation, the legislative power is exercised by a Grand Council, or Cantonal Council, consisting of more than 200 members, at the rate of one Deputy for every 1,200 of the population.

The Cantonal administration has at its head an executive Council (*Regierungsrath*) of seven members, each presiding over a special Department. Each district is administered by a District Council (*Bezirksrath*), composed of a *Statthalter*, or Prefect, as President, and of two or four assessors.

The Communal authorities are : (1) the Communal assembly (*Gemeindeversammlung*), in which all active citizens sit as of right ; (2) the Municipality (*Gemeinderath*—Communal Council), which consists of five members at least ; (3) the *Gemeindammann*, an official who is subordinate to both the administrative and the judicial authorities of the district, and performs the somewhat complex functions of police officer, assistant of the *Statthalter*, bailiff, judicial agent, &c.

Justice is administered by a superior court, Presidents of District Courts, District Courts and Judges of the Peace, in addition to a Commercial Court and a Court of Cassation. The judges of the superior Court are appointed by the Cantonal Council ; the presidents and judges of the District Courts are elected directly by the people. The Judges of the Peace are very numerous, there being one for each Commune. They are appointed by the people. They are conciliation authorities (*Sühnebeamten*), and also judges for suits of trifling value ; but even in such cases the parties may demand that the judge be assisted by two jurors.

The Court of Cassation (*Kassations gericht*) revises the deci-

sions of the Superior Court, its Benches, the Court of Commerce, and the Court of Assize. It consists of nine members elected by the Cantonal Council; but the President alone receives a small fixed salary, the other judges getting only a fee for each sitting.

Since 1874, the profession of advocate has been free in the Canton of Zurich. Every citizen in possession of his rights can represent or assist a party before the Courts.

SOME PROVISIONS OF THE CODE.

Under the head of Private Corporations, the Code has an important provision (Art. 35) which enacts that, "when a Corporation has degenerated, or compromises either the public credit or other public interests, the Executive Council of the Canton is empowered to step in for its reformation. Moreover, the Cantonal Council has the right to dissolve Corporations which have an illicit or immoral object, or one that is injurious to the public good; but this can be done only after first giving the Corporation an opportunity of justifying its existence."

POSSESSION.

Art. 96 enacts that possession is lost in principle when the possibility of exercising material control over the object, or the intention to exercise such control in one's own interest, ceases to exist.

Wild animals can be possessed only as long as (without actually shutting them up) one is in a position to exercise a material control over them. Animals which have been tamed or reclaimed are assimilated to domestic animals, so long as they retain the habit of returning to their owner.

The possessor of a swarm of bees which has flown away can pursue it for three days, and is considered to have been all along in possession of such portion as he may recapture.

IMMOVEABLE PROPERTY.

It is objected against the codification of family and personal law that its development may be thereby arrested, while much that is unreasonable may be preserved and stereotyped. But it would be an excellent thing for the Hindus and Mahomedans of India, and preventive of much needless litigation, if the Legislature were to place on the Statute book a few simple rules such as those, for instance, on joint ownership in the Codes of Zurich and Montenegro. The late Sir Henry Maine said: "Let us have uniformity, if we can have it; diversity if we must have it; *but in all cases certainty.*" It is criminal in any Government to allow its citizens to be impoverished by litigation which could be prevented by the enactment of a few simple sections of substantive law.

Art. III of the Zurich Code imposes on every co-owner the obligation of contributing towards the preservation of the joint property, and supporting the incidental charges, in proportion to the extent of his share. *If a co-owner does not fulfil this obligation, each of the other co-owners may require him to give up his share for a reasonable price.* Again as regards all that concerns the ordinary management and mode of enjoyment of the common property, the decision belongs to a majority of the sharers, or, rather, to a *majority of the shares*. When the co-owners cannot agree as to the partition or sale of the joint property, the Court may make over the property to one of the co-owners, and fix the price to be paid to the other co-owners for their shares. The Court may also, with a view to putting an end to the undivided status, order the property to be sold by auction among the co-sharers only, or at public auction. In the Canton of Berne (Art. 399) every co-owner has the right to demand the sale by auction of the common property. The want of authoritative rules, and the existence of uncertainty, causes a great deal of bad blood and litigation in India which might be avoided. It is admitted that the system of joint ownership is in many respects a curse to India, preventing the improvement of property, encouraging rack-renting by a crowd of petty owners, and saddling the land with more mouths than it can support, to the detriment of other industries and occupations; and a rule such as that contained in the Berne Code would give an impetus to manufacturing and industrial enterprise, while cutting the knot of many difficulties which already embarrass the revenue administration and threaten to swamp the Collectorate Establishments.

The rules regarding alluvion, accession, building on another's land, &c., are much the same as those of the Roman law. But there is a provision under the head of alluvion which might with great advantage be adopted in India, with its enormous ever-shifting rivers. If a river cuts away bodily a large piece of an estate, and it is attached to an estate lower down, or to the opposite bank (*incrementum patens*), the owner of the piece carried away may claim it, *unless the owner of the estate to which it has become attached is willing to pay a reasonable price for it*; but he must exercise such right within a year. If the portion italicised were made law in Bengal, there would be a great diminution of affrays and homicidal riots due to boundary disputes, which annually recur after each rainy season. The *deara* (riverain) lands in Bengal remain submerged for months, and all or almost all physical landmarks are obliterated. Hence an annual scramble, when the sowing season comes on, a period which is not a happy one for the policeman and the Magistrate.

Article 139 declares the right of passage to the nearest public way over the lands of neighbours, when no such exit already exists. But the path must be taken over the lands of those neighbours who will suffer the least thereby, and any loss occasioned must be paid for.

Article 150 contains a noticeable and very useful provision regarding plantations of trees. Garden trees and ornamental shrubs cannot be planted, without the adjoining owner's consent, at a lesser distance than sixty centimetres from the boundary between the two estates; and up to a distance of four metres from such boundary they must be so cut and pruned that their height does not exceed double such distance. The planting of forest trees or large ornamental trees, such as poplars, chestnuts, plane trees, and also of walnuts and cherry trees, is prohibited within eight metres of such boundary, and other fruit trees or ornamental shrubs, which are not periodically pruned, within four metres; and even for this latter class of trees the prohibited distance is eight metres, if the adjoining estate be a vineyard. If the adjoining land is a forest, trees must not be planted within fifty centimetres of the boundary. Actions for the removal of trees planted within the prohibited distances must be brought within five years from the date of planting.

The portion of the Code dealing with immoveable property contains some simple provisions regarding matters which, in the absence of certainty as to what the law and individual rights are, must constantly give rise to disputes in an agricultural community. It is declared, for instance, that, when the trunk of a tree is on the boundary, the tree belongs in common to the two neighbours. In the absence of any agreement to the contrary, every owner has the right, with a view to utilising his own land, to cut the roots of trees which encroach on such land (Art. 156). As regards overhanging branches, the neighbour may either appropriate the fruit on such branches, or require the owner of the tree to cut them. It will be observed that the neighbour cannot himself lop off the branches, as in England. In India there are, doubtless, local customs on such points, but sometimes they are doubtful, and in any case the Civil Courts are not good tribunals for ascertaining them. It is really a chance what the Munsif may decide, and of course a Magistrate is in equal difficulty when such points arise before him, as they often do. What is wanted is a simple section of law one way or the other, for the hackneyed objections against codification are utterly inapplicable to such matters as these.

The Code also contains provisions regarding the height of enclosure walls and hedges. Every landowner can compel

his neighbour to proceed with him to the demarcation or re-demarcation of the boundaries of their adjoining properties (Art. 166). Art. 170 enacts that stables, pig-styes, drains, tan-pits, dung-heaps, &c., must be kept at a distance of not less than a metre and a half from, neighbouring habitations. Art. 172 is simple, but important: "The owner of a field has a right of opposition, if any person, by taking away from it the light of the sun, causes him serious damage from the point of view of agricultural produce." The writer, when camping about districts in Bengal and Behar, has often had complaints made to him by one cultivator against another for planting trees, the shade of which lessens the outturn of the former's crops.

"Each co-owner of a joint boundary wall can utilise it up to half its thickness, provided he does not thereby endanger the object of separation and security with which the wall was built, but he who wishes to make use of this right must first warn the other of any modifications of construction which he intends to make" (179). Such a simple provision as this would, in a district in which the writer recently served, have prevented a fruitful crop of cases both in the Criminal and in the Civil Courts.*

MOVEABLE PROPERTY.

The finder of a thing is bound to try and discover the owner. If the value of the thing does not exceed fifty francs, the fact of discovery must be published in the Commune; if the value exceeds such sum, the finder must give information to the District Court (197). As regards treasure trove, half belongs to the finder, and half to the owner of the house or land where the treasure is found. But if the finder has made search without authority, or if he conceals his discovery, his share is paid over to the poor box of the Commune.

The provisions regarding the capture of animals, ownership of things made with materials belonging to another, mixture of things belonging to different persons, &c., are analogous to those of the Roman law.

* India is overridden with adjective or procedure law: what the country requires is a few simple provisions of substantive law in matters which concern the daily wants and occupations of the people. In the case referred to, one neighbour wanted to do just what the Zurich Code allows. He wanted to remove half the wall with a view to build it up again thicker and stronger, so that it might bear an upper room. The other neighbour denied his right to touch the wall or remove a single brick of it. The Munsif (Civil Court of First Instance) probably applied his notions of justice, equity and good conscience, and if the case ever came on appeal before the High Court, probably that Court applied English cases dealing with buildings of a totally different character to the buildings in question.

CROWN RIGHT AND PRIVATE RIGHTS DERIVED THEREFROM.

All lakes and rivers, and, as a principle, even streams, form part of the public domain, unless private rights over them be proved to have existed from an ancient date. It will be observed that the presumption is against the existence of private rights.

All hydraulic works, even when set up alongside private waters, are subject to the supervision, and, if alongside public waters, to the permission, of the State authorities. Everybody may use the waters of the public domain, subject to police regulations; but the floating down of logs not bound together is not allowed without the permission of the State. Art. 222 is very important. It enacts that riparian owners cannot prevent boatmen from using a towing path, or from landing on the bank in case of necessity, or from fastening their boats temporarily to the bank, or even, in case of need, from depositing their cargo thereon. But the boatmen are liable to pay for any damage they may do.* Art. 223 declares that when timber is floated down water courses, those in charge of it may land on the banks for the purposes of such floatage.

The right of fishing in the waters of the public domain, *and in the canals and ponds which communicate with such waters*, belongs to the State, or to those to whom the State has made over such right. But in the lake of Zurich, and on all other lakes in which the fishery has not been leased, fishing with a line from the bank is free to all (226).

State rights over mines extend to all minerals in the bosom of the earth which can be utilised, to all saline substances, sulphur, coal, lignite and anthracite; but they do not include quarries, stones found scattered on the surface of the soil, even though they contain minerals, turf, saltpetre, or medicinal springs.

SERVITUDES.

Art. 239 is important, as making a departure from the usual theory of Roman law, which has passed into most modern Codes, namely, that a real servitude can exist only for the benefit of an estate or tenement, and not for the profit of a person or association of persons. Bluntschli has taken into consideration local interests of long standing, which would have been sacrificed had the Code made the existence

* This is the Roman law, and not only is the common law the same in India, but there is actually Statute law in some of the old regulations, see, for instance Reg. XI of 1825. This regulation was apparently not known to Justice Norris, who, in a case that came before him, decreed a Zemindar's demand for "*konta-gdra*," an illegal cess, which the Zemindar had levied from boats tied up to the bank.

of a dominant tenement the condition *sine quâ non* of the recognition of a service connected with the land. For instance, some estates were burdened from an ancient date with a servitude not to build, in the interests of shooting clubs, which were not always *owners* of the *range* for the utility of which the servitude existed. Again the inhabitants of a Commune had from centuries the right to go and collect dead wood in a forest belonging to another. In these and other analogous cases there was a permanent right resting on a servient tenement; and the Zurich legislator has not considered that the absence of a dominant tenement should suffice to take away from such right the character of a veritable servitude. The character of a servitude has even been considered to attach to the right accorded to certain persons, or to members of a certain family, to use gratuitously the wine-press set up on another's land.

All servitudes, except manifest or apparent servitudes, have to be inscribed on the Landed Registers.

The right of footway (*fusswegrecht*) implies the right to carry loads, or to be carried on a man's back, but not that of going on horseback, in a carriage, or with cattle. Unless an aggravation of the burden is the result of circumstances, the owner of the servient tenement is not bound, in order to facilitate the passage with high loads, to cut the trees along the path or to let them be cut more than two metres in height.

Art. 263 is as follows: "In the absence of express prohibition, a pedestrian has the right to use every beaten path across fields or in a forest. Nevertheless, the existence and free use of such a path are not sufficient to prove that the land traversed is burdened with a servitude."

Art. 264 is: "He who has a right of way for a carriage can also go along the path on horseback, or lead cattle along it by the hand, but he cannot drag heavy loads along the ground, or drive along loose cattle." There are frequent disputes in India as to whether paths are only footways, or carriage ways also, or cattle ways, and some clear provisions in such matters are much called for. Owing to facts and circumstances which would occupy too much space to detail here, the chances are very much against proving any local custom in a civil court in India. The above sections are quoted as instances of the importance of having clear definite rules regarding matters which concern the daily lives and pursuits of the people.

As regards forest rights and easements, there is a most important provision (273), which the Indian settlement officer and collector will read with interest, namely, that the total value of such rights and easements must never exceed the annual income of the forest.

Of course, in temporarily settled districts which come under periodical re-settlement, the settlement officer's record of rights provides for such matters as those above noted, or most of them. But where the settlement is permanent, there is an almost complete absence of substantive law.

The easement of habitation cannot be alienated or leased. Such a prohibition should be imposed on Hindu coparceners; but shares of ancestral family mansions are often sold in the civil courts for debt! Art. 303 enacts that, if a co-owner has the right to a corner in the house (*Winkel un Haus*), he can claim a place suitable to his status and requirements; but if the right has not been given to him in view of a family, it is not permissible for him, by marrying, to cause a new family to share such portion. The co-sharers of a Hindu family house go on increasing with time until their number attains several hundred! The litigation and loss caused by want of agreement or co-operation among co-sharers are deplorable.*

OBLIGATIONS.

Art. 417 is worthy of notice, as giving a right of action for damages to any person harmed in the course of a suit "by the intentional fault or the gross negligence of a judge."[†]

Art. 420 is as follows: "When, by reason of the exercise of public authority, a private person has suffered in the general interest some loss which the law does not impose on him the obligation of bearing personally, for instance, by reason of military exercises or measures prescribed by the police, he has an action of indemnity, not against the officer causing the loss, but *against the State, subject to the condition, however, that his case is analogous to compulsory land acquisition, or to a forced deprivation of rights for the sake of the public utility.* In other cases, he has no claim to be indemnified.

Under the head of "gifts," Art. 428 enacts that the restrictions to which testamentary gifts are subjected in the interest

* In a station in which the writer once served, there was a fine house, which every successive Magistrate was willing to occupy as a residence. However, the co-sharers could not agree as to the cost of repairs, and the house gradually became a ruin. In such cases, any co-sharer should be allowed to apply to the court to have the house sold by auction. The people cry out for the bread of substantive law, but they are choked with the stones of elaborate procedure codes, the provisions of which favour the wealthy or unscrupulous litigant!

† High Court Judges in India have sometimes censured subordinate Magistrates on a mistaken view of the facts, or relying on statements made before them, which, had they (the judges) taken the trouble to look through the record, they would at once have seen to be inaccurate. Cases have occurred in which judges have made disparaging remarks which they would never have made had they even taken the trouble to read carefully the judgment of the lower court. Such instances of gross negligence equivalent to legal malice) should certainly be actionable.

of the heirs do not apply to *donationes inter vivos*. This principle, which is quite opposed to that of the French law, is frequently met with in the Codes of the German family. It is justified by the consideration that, in a *donatio inter vivos*, the donor deprives himself to the profit of the donee, whereas, by purely testamentary liberality, he does not personally deprive himself of anything, but despoils his heirs to the profit of a third person. The *donatio inter vivos* is, therefore, only the legitimate exercise by the owner of the right of disposition which he enjoys over his property, whilst legacies exceeding the disposable quota constitute an encroachment on the rights guaranteed by law to the heirs.

LAU OF THE FAMILY.

Betrothal (exchange of promises to marry) constitutes a special family relation. When one of the parties denies that there has been any promise, the promise is not considered to have been made, unless (1) there exists a written acknowledgment emanating from the party who denies the promise, or (2) the family of such party state that the promise has been brought to their knowledge, or (3) it is proved that the habitual usages and customs of betrothal have been followed,—for instance, that there has been an exchange of rings—or (4) in the absence of such usages, the habitual conduct and attitude of the parties for a prolonged period places the betrothal beyond a doubt (578).

As a principle, the breaking off of an engagement involves the return of the presents exchanged. But if one party has broken it off without sufficient cause, the other has a right to keep his or her presents, and can also claim damages. In the Canton of Berne, the person in fault may also be imprisoned for from four to twenty-four days, when the caprice is manifest, or the rupture causes a public scandal.

The Code carefully defines the respective duties of husband and wife, and imposes on the latter the obligation of contributing towards all expenses according to her means. The husband has the enjoyment and control of the wife's property and earnings, subject to the obligation of providing in a fitting manner for the upkeep of the establishment, and the current liabilities of the wife.

In case of divorce, the wife's alimony cannot exceed one-quarter of the husband's annual income from all sources. If the fault has been on the side of the wife, the husband has a right to a similar indemnity. The blameless wife or husband does not, by re-marriage, lose such indemnity.

It would be instructive to know whether Art. 646 of the Code is a dead letter, or is really enforced. It is as follows :—

"Concubinage is prohibited. When such a case comes to their knowledge, the Municipalities are bound to inform the Prefect, who, under threat of penal prosecution in case of disobedience, takes such measures as are necessary to put an end to the situation."

PATERNITY AND AFFILIATION.

The unmarried woman who has become *enceinte* has the right to bring against the author of her pregnancy an action to establish paternity. As a general rule, such action can only be brought before the judge of the peace during the pregnancy of the mother. If the woman and the author of her pregnancy were engaged, or if there exists a written recognition of paternity on the part of the father, the action can be brought within six weeks of the birth of the child. The rule that the action should be brought during pregnancy seems to be a very good one. After birth, there is a greater probability of the woman naming the wrong man from improper motives. In India the woman must wait till the child is born before she can make any application to the Magistrate. She has to go alone through the most trying period ; the incentive to abortion is very much enhanced ; and, with the lapse of time, the proof of paternity becomes more difficult.

Art. 701 contains some excellent provisions for preventing any abuse of this action, which must be dismissed :

1. If the defendant has not attained the age of sixteen years.
2. If at the time of the conception he was married, and the woman was aware of it.
3. If at such time the plaintiff was married.
4. If she had previously named some other person as the author of her pregnancy.
5. If, during the two previous years, she has followed the trade of a prostitute, or given her person to men for money :
6. If, during the same period, she has lived for a considerable time in a place of debauchery, or has frequented it in a suspicious manner.
7. If, by reason of the licentious life she leads—as, for instance, when she has already given the light of day to several natural children—or by reason of a conviction for adultery, or owing to the fact that she herself seduced the defendant to the debauchery, the plaintiff appears unworthy of redress before the courts.

The principle of legitimation of children by subsequent marriage is now part of the Federal law, and is therefore obligatory on every Canton.

There are certain restrictions on adoption. To justify it it is necessary that (1) the adoptive parents should have no legitimate children; (2) that they should be at least sixteen years older than the adopted person; (3) that the adoptive father should be, at least, fifty years of age, and the adoptive mother at least forty. When both parents agree to adopt, and they have been married for ten years without having had any children, it is sufficient, even for the husband, that he should have completed his fortieth year.

The above appear to be some of the most salient features and characteristic provisions of the Code from a comparative point of view. As regards succession, the right to inherit *ab inta stato* has been limited to descendants, and to parents, grand-parents, etc. on the paternal side, to the exclusion of their children. Perhaps the most important departure in the Code of 1887 from that of 1854-55 is that the old rule of five parts for boys and four parts for girls has been abandoned in favour of equal division. A special vote of the people was taken in this matter, with the result that 24,872 voted for the change, and 15,997 against it. The husband and wife have been placed on the same footing as regards succession, and the restrictions on testaments, hitherto excessive, have been sensibly diminished. If a person has, intentionally and contrary to law, caused the death of the deceased, he is deprived of any right of succession, on the ground of unworthiness. The position of natural children has been much improved.

In conclusion, if a Civil Code be ever framed for India, there are not a few matters in which the Indian legislator may derive valuable information and suggestion from the Civil Code of Zurich.

H. A. D. PHILLIPS.

ART. III.—BEHIND THE VEIL.

INDEPENDENT SECTION.

On croit ce qu'on peut, non ce qu'on désire.—[RENAN.]

THE extraordinary anarchy which marks the art and literature of the present moment, is by no means confined to those branches of human effort ; and the spread of surface-culture has developed an increase of undisciplined individualism on all subjects to which the history of civilization affords no parallel. Especially is this the case in matters of Religious belief, in regard to which the widest vagaries prevail. In one direction is a great and, perhaps, a growing tendency to pure materialism : in another, we see persons bred in a system once called "Protestant" now seeking unity in uniformity and suing for recognition from the ancient Church, which their fathers abandoned and resisted. Is it not, then, time that we examined our foundations, and endeavoured to form a working hypothesis on which to base a general scheme of thought and conduct.

At the very outset of such an enquiry, we must resolve never to become the dupes of egotistic dreams. The act of Empedocles on Etna was one that a modern Coroner's jury would have found indicative of "temporary insanity ;" yet the sentiments attributed to him by Matthew Arnold are wholesome enough. Let us be on our guard against extravagant desire, no less than against the despair which is apt to be its reaction. Let us agree to view life as it is, rather than as we would have it ; and then, perhaps, we may learn a new content. Every care and every trouble is but a portion of the day's work : every success and every enjoyment may be profitably taken as an unearned windfall.

Byron, in his hit-or-miss way, said there was nothing that the world could give like what it took away ; every one must judge of this from his own experience. Many of us may be disposed to meet Byron with flat contradiction on this point, and ready to declare that the world has given him more than it has taken and far more than he feels himself to have deserved. To enter into further details, he may say, would involve intolerable egotism. 'La moi,' according to Pascal, 'est haïssable' : and most of all is it to be kept down in subjective records, where it is naturally always ready to obtrude itself. But, along with other things which the world has taken away, such a one may thankfully acknowledge to be any ardent desire for a future state of rewards and punishments. The main arguments which usually come to our knowledge

on this subject are : 1. That such belief is the basis of the Gospel of Christ ; 2. That it is the general belief of man in all times and places, and in the most savage states of society.

On the first of these one cannot here say much. That the doctrine was taught by Christ may be assumed, not only from the reports of his sayings in the Gospels, but from what we know of the teaching of St. Paul. But it must not be forgotten that St. Paul was a man of very ardent character, educated as a Pharisee, and ignorant of science, as is shown in the well-known analogy of the seed in I Corinthians, xv. 36-8. As for the Saviour himself, his words—even if assumed to be correctly reported—cannot always be taken literally. The doctrine had been adopted by some of the Jews after the captivity, though the reasoning in *Ecclesiastes* (iii. 19-21) shows that it was not only not believed, but strenuously opposed, by many of them. We may refer to this again under the second argument ; in the meanwhile, let us be content to say that a young Galilean teacher would naturally take the popular view on such a subject, and assume it without necessarily intending any dogmatic inculcation. The Gospel ethics are quite complete, even if there is no insistence on a *post-mortem* judgment. As to its being a part of the 'Gospel,' in the sense of 'good-tidings,' that is a matter of temperament. It will be sufficient here to refer to the biographies of religious people to show that on some minds the doctrine would act with an effect the reverse of good. We are told of the comfort derivable from the feeling that the sorrows of this life will receive compensation in the glories of the next ; and especially of the relief experienced by mourners when they think that those whom they have lost are only gone before, and that all will soon be united in an eternity of bliss. But these considerations take no account of the equally-implied feeling that for the majority of mankind—not alone the wicked, but the wrong-believers—the sorrows of this life are to be followed by the incalculable pains of an interminable hereafter : and especially of the horror inspired into mourners who suspect that those whom they have lost will be sent before their eyes into an eternity of bale, with a great gulf fixed between them which can never be crossed. If such are the tidings called 'good,' one cannot be surprised at their frequent rejection, or that one of the most marked features of the Old Testament is the omission of all incentives to good conduct that might be derived from the belief in the Egyptian doctrine of the Judgment of the Dead.*

* It may almost be said that, in the Pentateuch, some appearance may be traced of a desire to go against Egyptian ideas and doctrines generally. The argument is worked by Warburton, if I remember right.

On the second point, one is struck with wonder that any argument in favour of the doctrine can be drawn from the belief of primitive or savage races. No doubt the belief in a life beyond the grave, if not quite universal, has been very general among such, although it has led to a great deal of certain evil and to a very dubious amount of good. The ancient peoples of Asia generally accepted some form of resurrectionary belief: and it led them to surround the dead with the things loved in life, extending to the massacre of helpless slaves and innocent female companions at the tombs of the departed chiefs. Like evils have attended the belief in Africa and the Polynesian Islands. Is it from such people that we are to receive our opinions? The more enlightened peoples of the world have never adopted the doctrine warmly or actively. Among the Greeks there was no authoritative canon of dogma on the subject, any more than among the Romans; and their general attitude of mind can only be described as poetical speculation, possibly inspired by traditional superstition derived from rude ancestors. The ancient Jews went further: it was, perhaps, an intentional rejection of Egyptian thought that led to their omission of the doctrine from the Mosaic dispensation, and confined their notions on the subject to a sort of necromantic heresy. And the author of *Ecclesiastes*—a book of never-questioned canonicity—goes beyond omission. In the *Revised Version*, he argues against the belief, and his argument is thus expressed:—

“That which befalleth the sons of men befalleth beasts; even one thing befalleth them: as the one dieth, so dieth the other: yea they have all one breath (or spirit), and man hath no pre-eminence over the beasts . . . all go unto one place: all are of the dust and all turn to dust again. Who knoweth the spirit of man, whether (or ‘that’) it goeth upward, and the spirit of the beast, whether (or that) it goeth downward to the earth?”

And, further on, the writer explains* that the dust shall “return to the earth as it was, and the spirit return to God who gave it.”

The Genesis of the doctrine in the Jewish mind is apparent. While the Jews were in captivity at Babylon, the Persians conquered that city, and took the captives into favour. The Persians, as is well known, believed in the dualism of Zoroaster, then a comparative novelty. One feature of that system was the ideal judgment which has been subsequently reproduced in the religious scheme of Islam. From that time (B.C. 538) a new element appeared in Judaism. The party of high orthodoxy—the Sadducees—still maintained the old idea of secular judgments and temporal blessings. From

that party the priesthood continued to be recruited. But the doctrine of a future existence, having been introduced, at once recommended itself to human egotism; and the school afterwards called 'of the Pharisees' arose: according to the late Mr. King (*The Gnostics, etc.*), Pharisee is the same as *Farsi*, and means neither more nor less than 'Persian.' In the middle of the 2nd century B.C., the doctrine had taken firm hold of the popular imagination. The book *Ecclesiastes*, with its reasoning on the other side, is, perhaps, of that period. In support of the doctrine we have the remarkable contemporaneous passage in *Maccabees*, which probably did much to preserve the canonicity of the Apocrypha at the Council of Trent. It is in II Mac., xii. 43-5, where we are told of Judas making a 'sin-offering' to the memory of his slaughtered followers: 'in that he was mindful of the resurrection: for, if he had not hoped that they that were slain should have risen again, it had been superfluous and vain to pray for the dead.' At that time the question was evidently debated among the Jews.*

Modern non-Catholic Christianity has given up prayer for the dead. But it still clings to the ideal of the 'resurrection of the body,' when the judgment will take place,—those that have done good going to a blessed immortality, those who have done ill to everlasting fire. Jesus favours this view, in some at least of his recorded teachings. But there is one, if no more, of the words attributed to Him on the subject which is at variance with it, and indeed has occasionally formed a cause of doubt and controversy. He tells the penitent thief on the cross: 'This day shalt thou be with me in Paradise.' *This day* seems to exclude the doctrine of The Day of Judgment—not to say that of corporeal resurrection. Again we are told, by St. Paul and his followers in later times, that the resurrection of Christ is an earnest and antetype of our own. But in what way? How can the revival of a semi-divine body, that had lain one night in a rocky cavern and had 'known no corruption,' be any representation of the revival of our bodies after they have resolved into their elements and those elements been redistributed into countless new combinations?

The statement of *Ecclesiastes* is far nearer to the teaching of modern science. It is now regarded as an absolute truth that nothing can perish, and that the elements of a human body follow the same destiny as those of one of the lower animals, with which, indeed, they are perfectly interchangeable. We may, with complete accuracy, imagine ourselves tracing

* See Acts iv. 1, 2 and v. 17 for indications of this conflict down to the rise of Christianity.

the noble dust of Alexander till we behold it stopping a bung-hole. Umar Khayyám has pointed out this truth in his curious vein of blended tenderness and wisdom :—

‘ Long before thee and me were night and morn,
For some great end the sky is round us borne ;
Upon this dust, ah ! step with gentle foot,
Some beauty’s eye-ball here may lie forlorn.’

‘ This cup once loved like me a lovely girl,
And sighed, entangled in a perfumed curl ;
This handle that you see upon its neck,
Once wound itself about a neck of pearl.’

And if the material elements are thus liable to endless redistribution, may it—one may almost ask, must it not—be the same with whatever we may contain of a spiritual nature ? From the great source of Being it came ; when no longer associated with the crumbling frame of matter, it should be recalled into that eternal magazine. ‘ Then shall the dust return to the earth as it was, and the spirit shall return to God that gave it ;’ that is still the most enlightened and inefragable sentence on this great enquiry.

If it shall be asked, what sanction is left for the laws of virtue, may we not reply, with the old adage, that ‘ Virtue is its own reward ?’ The late Canon Kingsley was not a systematic thinker ; and he handicapped his early freedom by accepting position and preferment from the Anglican Church. But no one of my time can forget the impression that was produced by the boldness of his youthful appeals on this subject. Another beautiful mind was led to insist on these things even to extravagance. The late Cotter Morison, in whose untimely death his friends sustained an irreparable loss, was certainly not justified in implying that the ‘ Service of Man ’ was at all incompatible with that of the Christian Deity. The Epistle of St. James, the brother of our Lord, is there to answer him, with its entirely humanitarian description of ‘ true religion.’ Nevertheless, in showing that the belief in a *post-mortem* identity and all its possibilities was not incompatible with every kind of misery and evil-doing, Morison did a good work. On the other hand, from some of the Old Testament saints, from Sakia Muni and some of the Hindu reformers, on through Cicero, Epictetus, M. Aurelius, and so down to Spinoza, and, later still, such a man as our Darwin, we have an unbroken catena of men who have loved virtue for her own sake, and without the egotistic motives of hope and fear looking beyond the grave.

Such is a very concise statement of the sources from which one may desire strength and health in matters of the spirit, when one has got rid of the fear, distrust and practical infidelity of childhood ; and we do not hesitate to indicate to our own

children the same path of contented freedom. Is it meant by this that they should be asked to deny a new life after death, or throw off all belief in Christ? By no means: on the contrary, they should be encouraged to believe firmly that there is, at the heart of our Teutonic civilisation that is now overspreading a large portion of the globe, a principle which we owe to Jesus. It is not true that modern civilisation is *entirely* due to Christianity: German virtue and Roman law and Greek art, are all there: The civilisation of the Latin races has taken up elements that ours has not; and there are, on the other hand, things of some importance in Christianity that no modern race has adopted. Nevertheless the central doctrine of Charity, or, in terms of modern science—Altruism, is peculiar to the best aspects of modern civilisation, and is probably due to Christ alone. This is what one would feebly, and with very partial success, endeavour to follow; this it is, above all, that one would earnestly commend to any who read these words: Love your neighbour as yourself; make your own desires and interest the measure of what you do to others; lay down your life for those who depend on you; lose the whole world rather than your own soul. In all these things you will be followers of Jesus. Acting in that spirit you may safely leave the rest to the Divine mercy, and in the words of the American poet—

“ Approach your end

Like one who wraps the drapery of his couch

Around him, and lies down to pleasant dreams,”

The dreams may not come after you have gone to sleep; but their anticipation will have charmed your waking hours, and beautified the approach of the long slumber.

In whatever way this great question may be decided, there seems good reason to think that serious thinkers all over Christendom are coming to the parting of the ways. England, which has always taken a forward place in earnest speculation, has seldom been wanting in minds to which the divergence between religious authority and religious freedom has been strongly present. In the first effervescence of the Reformation, indeed, this was for a while obscured. When men began to abandon the Church as the ‘Rule of Faith,’ they were at first led to follow the Continental Protestants in believing that such a rule could be found in the Bible. And it is remarkable that when Channing had returned from the Roman obedience, and taken up what would be now called the ‘Broad Church’ position, the book which he produced as the vindication of the step professed to be founded on the Bible. A bolder tone came in after Hobbes and Locke. The spirit of literary criticism

was applied to the sacred writings of Jews and Christians* by Toland (born a Papist) and Tindal and Gibbon, both of whom took Rome in the course of their pilgrimage. In our own times, we have seen cases like those of the brothers Froude, and (still stronger instance) the brothers Newman. In such men we see the insufficiency of non Romish High Church principles to satisfy minds of exceptional earnestness and sincerity. If *Authority* be needed for the foundation of the temple, such minds will only be content when they have made the son of God their corner-stone. If it appear that the Church, which traces its apostolic succession to Him, and bears the credential of his perpetual presence, has contradicted itself on points of doctrine—as Chillingworth argues—and has even led to misconduct in matters of practice, then they will find themselves left to the exercise of private judgment. If the Church of Rome has gone wrong, it will seem to them vain to seek infallibility in weaker or less accredited organisations; whether in the Greek Church, or among the 'Old Catholics,' or any other body which, while professing a common origin with Rome, has diverged from her decisions. It seems no rash forecast to predict that, before another half century has elapsed, all well-educated men will be either Papists or Agnostics. For woman, indeed, and working-men—unless their education shall be greatly altered, Anglicanism and Methodism may still provide sufficient spiritual food; nor will this, perhaps, greatly signify, so long as the spirit of toleration continues to prevail.

A dignified Anglican clergyman was once heard to say—in a moment of private confidence—that he regarded all dogma as a purely human invention, varying according to place or time; he therefore considered that the duty of the clergy was to use the dogma of their own immediate Church as the channel through which to communicate the essential doctrine of Jesus. And, when asked, what that doctrine might be? he answered—"Love."

For those who adopt the conventional view, that the religion which they profess was the subject of a direct Divine revelation, this question may have little or no apparent interest. But those who accept the modern doctrine of 'evolution' are bound to consider it a step in the spiritual education of mankind, growing out of earlier and ruder conditions; and slowly moving towards others, of a kind not yet made clear. They will see in Jesus a mild ascetic, of the type of the Indian Buddha, whose aim, like that of his brother James, was the creation of a communistic society in Palestine for mutual aid in physical and moral welfare. Then came the Cilician Pharisee, Saul, or Paulus, a

* *Ta Biblia*—"The Books," not The book.

man of eager and cultivated intellect who captured the movement, and, by transplanting it to Rome, gave it an ecumenical character. Whether Peter ever followed him thither, has been much debated, but forms a barren controversy.* According to the arrangement recorded by Paul (Galat. II, 9), it was he that was sent to the Gentiles, while Peter and John were to address their preaching to the Jews; the Pauline Epistles show how his part of the mission was taken in hand. The sonship of Christ, the atonement for the transgression of Adam, with the doctrine of a future state of rewards and punishments, were impressed upon the Western world with some references to the writings and opinions of their own writers. Then the brotherhood of all men, together with the beauty of holiness, formed an attractive recommendation of those doctrines with a community so deeply smitten by worldliness, cruelty, and sensual impurity as the slave-holding, gladiator-keeping Romans; and, still more, with their victims. From the fall of Jerusalem (A.D. 70) to the coming of Constantine (A.D. 313) the struggle went on:—

On that hard Pagan world disgust
And secret loathing fell;
Deep weariness and sated lust
Made human life a hell.

It has been observed by Pr  sens   (vide *Chamber's Encyclopedia*, III, 219) that, when Christianity was established by Constantine, he "granted it burdensome protection, though it still retained its generous sap." These few words are a concise statement of the position. A system of love, purity and brave endurance of persecution could not but suffer deterioration when it suddenly acquired all the power of the State. A period of dogmatic dictation set in; the doctrine of the Trinity took form; the Arians were denounced; the Church itself became the persecutor. The fall of the Western Empire left the central seat of authority vacant for the Pope; and the civilised world learned to identify Christianity with the system of the Roman obedience. This assumption affects some of the most powerful apologetic works of later times, especially the eloquent pleadings of Chateaubriand. Both he and Pascal, before him, argue as if Romanism were the only Christianity. This is, nevertheless, only fallacious as polemic; for all who are not absolutely hostile it has a certain propriety and more than a grain of truth.

* The burden of proof is on those who assert, not on those who deny. But see Basnage (*Hist. de l'Eglise*, 44), where it is said that the first positive assertion is that of Lactantius, who died A. D. 325. The statements of Jerome are unsupported, and in some part improbable (as that Peter came to Rome in A. D. 42)

For the Reformation, whatever symptoms it may suggest of future emancipation and religious progress, is not, as Protestant champions contend, "an evolution of Christian thought which is a return to its original." Such language (also taken from *Préssensée*) shows a complete misconception of the meaning of Evolution, which, as defined by Herbert Spencer, involves a progress from incoherent heterogeneousness to definite homogeneousness and dissipation of force until ultimate dissolution sets in. Being so, Evolution can never "return to its source ;" that is the progress of Dissolution.

Now, there is nothing in the usual Protestant arguments to show that there was not in the Primitive Church this vital germ of latent evolutionary capacity : nor is there any evidence that its evolution will not end in decay. Still less is there any ground for assuming that "Evangelical Christianity" will take the place of Catholicism. The utmost that can be made out is that the Reformation was one step in the process of development.

When the Catholic Church was rejected, by the nations of the North, as a final authority in matters of faith, a necessity was still felt for something to take its place. The Reformers naturally found their "Rule of faith" in the collection of books which was then held to be "The Word of God." But a time came when acute thinkers declared that there was, in truth, no such Oracle, and that "The Bible" was only a title inaccurately rendering a Greek phrase signifying "The books." These were also discovered to be by no means uniform in character, but almost as various as they were many. A suspicion ensued, which was gradually affirmed by criticism, to the effect that the entire collection contained the word of Man about God, rather than the word of God about Man ; and that the expression varied from age to age.

Thus, then, the pilgrims towards the hidden shrine have had three different visions at successive stages of their progress. First, the message of the Gospel to the Gentiles ; Second, the establishment of spiritual authority at Rome ; Third, the assertion of private judgment ; Paul, Hildebrand, Chillingworth. What is to be the next step, who can say ? All the forms here mentioned, however successive, are still in contemporaneous existence : the Primitive Gospel, more or less adapted to modern needs ; the elaborate orthodoxy of the Roman Church ; the rationalising efforts of educated Protestantism ; and bastard systems are also found which mingle one of these with another, like the Anglican High-Church.

Nevertheless, in all will be found a common property that cannot be lost as long as European civilisation retains a positive character, whether in the Old or New World. In what-

ever form, and from whatever point we regard it, Christianity has created the conscience of civilised mankind, and has laid down the law of Love. Wherever, therefore, human beings are held together in unity of spirit, in the bond of peace and in righteousness of life ; wherever altruism is made a guiding principle and an idea of Deity is revered, there we can still allow men to profess and call themselves Christians. This is the true teaching of Jesus of Nazareth ; the pattern of faith and action that was first set in the days of the early Cæsars upon the sacred fields of Galilee.*

H G. KEENE.

* *Book of Common Prayer* : supplication for "all sorts and conditions of men." The tone of this prayer appears to show that the founders of the Anglican rite never contemplated *uniformity* as a condition of Christian fellowship: the aspiration is that "all who profess and call themselves Christians may hold the faith in *unity of spirit*." This seems to be an almost complete answer to the complaints of dissidence ; except, indeed, in the mouths of Romanists.

The Greek Church is not here mentioned separately, being taken as a mere variant of Catholicism, professed by the less civilised races of Christendom, but belonging essentially to the class of authoritative creeds which seek unity in uniformity.

ART. IV.—EKNATH, A RELIGIOUS TEACHER OF THE DECCAN.

EKNATH was born in the year 1548 of the Christian era, at Paithan, or Protisthan-Poori. His father, whose name was Soorya Narayana, breathed his last while Eknath was still in his infancy ; and the duty of supporting and educating the child, therefore, devolved on his grandfather, whose name was Chakrapani.

Eknath was of a quiet disposition, a trait in his character which manifested itself even in his early days. As a boy, his appearance was very thoughtful ; and he was scarcely ever seen playing with his companions like other children. His amusement was of a special nature. He used to go from time to time to the banks of the Godavery, where he was seen worshipping pieces of stone, with flowers which he plucked from the trees by the river side. He was also heard muttering words, not fully audible, as if offering prayers to the deities, and would recite texts from the Puranas in imitation of *Hari-dases* (religious teachers).

Chakrapani now thought it time to educate his grandson ; and, at first, he undertook this work himself. Eknath was very intelligent, and, having a retentive memory, soon showed an amount of progress which was scarcely to be expected from a boy of his age. Chakrapani was much pleased with his grandson, and determined to educate him in the Vedic lore. With this object in view, he performed the boy's *Upabit* ceremony in the sixth year of his age, and placed him in charge of a learned Brahmin to teach him the Vedas. The sharp intellect he possessed, enabled Eknath to make rapid progress in his studies ; and, in addition to the Vedas, he learnt a good deal of the Puranas, and at his leisure used to attend *kotha* and *kirtan*, and thus became acquainted with many of the incidents narrated in those religious books. He took a great pleasure in reading the lives of great men ; and it became his earnest endeavour to imitate those traits in their character which exalted them. But how to attain a knowledge of God became the great yearning of his soul ; and, in order to satisfy it, he used to go to the religious teachers of Paithan to make enquiries on the subject. Sometimes, he is said to have put to the Pundits such difficult questions that they were unable to give proper answers to them. But the object of Eknath was to gain knowledge and not to give trouble to the Pundits ; he made enquiries in a calm spirit, and every one was convinced of the sincerity of his

purpose ; so that, instead of being annoyed, the Pundits were pleased with him.

Eknath was much attached to his grandfather and grandmother, and obeyed their orders with great alacrity, attending them at the time of their sickness, and ministering to their wants. He paid due veneration to elderly persons ; was affectionate to his companions, and bore with patience the taunts and abuse of the ill-disposed boys of the neighbourhood.

The information he received from the Pundits of Paithan did not satisfy him, and he would frequent temples and lonely places from time to time for the purposes of contemplation. On a certain occasion, when he was thinking of the Divine Being in a temple dedicated to Shiva, he heard a voice saying : " There is a great man in Deoghur, named Jonardun Punth. Take him for your religious guide, and you will gain your object." These words took Eknath by surprise ; and he was at a loss to know whence the voice came. He had read in the Puranas of the Almighty Being having vouchsafed their wishes to his devotees on various occasions, and he concluded that it was the voice of God. He thought much about this Divine command, and was seized with a desire to carry it out. But, when he came to think of the difficulties that confronted him, he knew not what to do. His grandfather and grandmother were old and indigent, and were dependent on him in many ways. Moreover, they were dotingly attached to him, and he knew that his absence would be greatly felt by them. Then, he was only eight years old, and it was no ordinary task for such a child to undertake a journey to Deoghur. But, he considered it to be his paramount duty to obey God, and he, therefore, resolved to go there. It was necessary for him to obtain some information about the route to Deoghur, and he went to a *Pouranik*, who gave him particulars about it. Eknath told the *Pouranik* that he was going to see Jonardun Punth.

Deoghur was forty miles from Paithan, and the road to it was not a good one ; but nothing could prevent the intrepid boy from carrying out his resolution. During his journey, he travelled in the day time, and rested at night, sleeping beneath some spreading tree, with a stone for his pillow. Having no money with him, he was compelled to satisfy his hunger with fruits and roots. His hardships were great, but he bore them with patience. When and how to see the saintly form of Jonardun Punth was his one prevailing thought. It took him five days to reach Dowlatabad.* In the meantime Chakrapani and his wife were filled with anxiety by the absence, and expecting the return of Eknath. They

* Another name for Deoghur.

at first thought he had gone to visit some temple at a little distance from Paithan, and would come back shortly : but, as day after day passed, they became alarmed. Chakrapani then set about making enquiries in the neighbourhood. He went to the Pundit whom Eknath was in the habit of visiting. But no one could tell him anything about the boy. The neighbours of Chakrapani were much attached to Eknath, and they also were filled with anxiety on his account, and made enquiries about him, going to temples, river banks and hill caves in quest of him ; but no trace of him could be found. The Pouranik from whom Eknath had made enquiries about the route to Deoghur, was the only person who could have given information about him, but unfortunately he had left Paithan for some other place.

After reaching Dowlatabad, Eknath made enquiries about Jonardun Punth's residence. Punthjee was a famous man, and Eknath had no difficulty in obtaining the necessary information. But here we should say something about this Jonardun Punth. Punthjee was a Brahmin of the Deshastha community, and a resident of Challisgaon.* He was a man of great ability and many accomplishments, and was famous for his learning and wisdom. He was a good councillor in the cabinet and a brave general in the field. A Mahomedan King ruled Dowlatabad at that time, and when Eknath reached Dowlatabad, Jonardun Punth was his Prime Minister. On special occasions he was required to take the field also. But Jonardun Punth was also a great devotee, and in the midst of his onerous and multifarious business he did not forget his religious duties. He devoted every Thursday wholly to the worship of Duttatreya. On that day he separated himself entirely from secular affairs ; and, out of reverence to him, all the Courts and offices of the Kingdom used to be closed. On other days, after finishing his work, he passed his time in reading the *Shastras*, carrying on religious conversations and worshipping God. He was a great Yogee, and he used to pass a portion of his time every day in communion with his Maker.

Eknath came to the house of Jonardun Punth, and, standing at the door, sent intimation of his arrival to him through a servant. Jonardun Punth came out of his room, and was going to see Eknath, when the latter entered the house and prostrated himself before him. Jonardun Punth took the boy by the hand, and told him to take some rest. He spoke to him kindly, and asked what had induced him to come to him. Eknath said that his object was to study the *Shastras*, to obtain a knowledge of God, and to see that Great

* There is a station of the G. I. P. Railway at this place.

Being. He told him of the voice of God he had heard in the temple of Shiva, and how that voice had induced him to come to him. The words of Eknath pleased Jonardun Punth greatly. He was astonished to see a boy imbued with so much love to God, and began to instruct him in the *Shastras*, and Eknath became his devoted pupil, and began to serve his spiritual guide in the manner that was in vogue in ancient times. He used to rise early in the morning, and, after washing himself, clean the temple attached to Jonardun Punth's house, and the room of his spiritual guide. After this, he used to devote himself to the service of Jonardun Punth. This service consisted of arrangements for washing and bathing, as well as for the worship of God. After washing the clothes left by Jonardun Punth after bathing, he would go and fetch flowers and leaves of the Bel tree, and place them in the temple with other things required for the worship of the tutelar deity.

After performing these services, he studied the *Shastras*, in which he made considerable progress. Besides the Vedas and the Upanishads, he studied the learned works of the great saint Dnyanadeva. Whilst studying, he requested his spiritual guide to explain to him intricate matters, and the explanations he received from Jonardun Punth satisfied him. Jonardun Punth became greatly pleased with Eknath, and used to take him with him wherever he went. In addition to the duties he performed in connection with household affairs, Eknath assisted Jonardun Punth in his work relating to the affairs of the State, and it is said that on a certain occasion, when Jonardun Punth was engaged in *yoga*, Eknath fought against an army that had attacked Dowlatabad, and succeeded in driving it away. Eknath passed twelve years with Jonardun Punth, who finally taught him how to practise *yoga* and enlightened him with *Brahma•Dnyan*.

•• Soon afterwards Jonardun Punth went on a pilgrimage to some of the sacred places, and took Eknath with him. Among other places, they visited Nasik and Trimback. They passed some time at Panchabati in Nasik, where, at the request of Jonardun Punth, Eknath wrote a commentary on the *Sremad Bhagbat*.

They then returned to Dowlatabad. After a time Jonardun Punth told Eknath that, as he had already become learned in the *Shastras* and received divine knowledge, it was now necessary for him to go on pilgrimage in order to complete his knowledge. The sight of the wonderful works of nature would impress him with the glory and might of God; conversation with saints who resort to places of pilgrimage would perfect his knowledge, and an insight into the manners and customs of

different peoples would give him experience, which would be of great benefit to him. Jonardun Punth went on to tell Eknath that, after he had finished his pilgrimage, he should return to his native place and lead a family life. It was not necessary, he said, that a man should lead the life of an anchorite. One who is religiously inclined can pass his time in worshipping God and serving his fellow-men in the midst of worldly affairs. Jonardun Punth impressed this on the mind of Eknath, and concluded by saying that a man had several duties to perform, which he could hardly do from his place of seclusion. Having received these instructions, Eknath bowed down before Jonardun Punth, and, after receiving his blessing, took leave of him.

Eknath's grandfather and grandmother passed thirteen years in great distress. Then they came to know from the Pundit from whom Eknath received information about the route to Dowlatabad, that he had gone to Jonardun Punth to study the *Shastras* and receive instruction from him. This news filled their minds with a desire to see their grandson again. But there was an obstacle in the way ; Chakrapani was too old to undertake a journey to Dowlatabad, and he knew not what step to take to bring Eknath back. He could have sent a man with a letter to him, but he had no money to pay him. He explained his difficulties to the Pundit already mentioned, and the distressed condition of the old man affected him so much that he himself undertook to go to Dowlatabad.

When the Pundit arrived at Dowlatabad and saw Jonardun Punth, he related to that great man the object of his visit, and explained to him the pitiable condition in which Chakrapani and his wife had been placed in the absence of Eknath. Jonardun Punth was pained to hear this, and informed the Pundit that Eknath, after studying the *Shastras* and obtaining divine knowledge, had gone on pilgrimage, and that, after finishing it, he would return to his native place, so that Eknath's grandfather and grandmother need not be anxious on his account. The Pundit rejoined that it would take Eknath some years to visit all the places of pilgrimage in India, and it was desirable to take some steps to bring him back. Chakrapani and his wife, the Pundit continued, were in the utmost distress, and it was a question whether they would live till their grandson had completed his pilgrimage, so that his speedy return was necessary. On hearing this, Jonardun Punth informed him that Eknath, after visiting the sacred places of Northern India, must pass through Paithan on his way to Southern India, and that he would arrange to stop his further progress. So saying, Jonardun Punth wrote two letters, one addressed to Eknath and the other to Chakra-

pani, and handed them over to the Pundit. With regard to the former, Jonardun Punth said that enquiries should be made about Eknath, and the letter handed over to him at Paithan. The Pundit then expressed his gratefulness to Punthjee, and took leave of him.

On his return to Paithan, the Pundit handed over the two letters to Chakrapani, and related to him the substance of his conversation with Jonardun Punth. Chakrapani read the letter to his address. It contained an account of Eknath's progress, together with words of consolation to him, and a request that he would hand over the other letter to Eknath, which would stop his further progress. Chakrapani was overjoyed to hear all that Jonardun Punth had to relate of the progress made by Eknath in the path of religion, and the hope of seeing him soon buoyed up his spirits.

After leaving Dowlatabad, Eknath went towards the north. He first visited the sacred river Nerbudda, and bathed in it. The sight of the famous Nerbudda falls, the marble rocks on its banks, and the romantic hill, on the summit of which were structures containing images of gods and goddesses made of stone, produced a great impression on him. The forests skirting the Nerbudda brought to his mind the holy associations connected with the devotion of the sages of old, who passed their time in these sylvan spots in communion with their Maker. After this, Eknath visited Chitrakoot. The stream Paishanni, flowing through it, and the hills with which it is studded, reminded him of the sojourn of Ram Chandra, Seeta Devi and Lakshman in those romantic places, and of the holy lives led by them, and the thought of the good deeds of these personages stirred noble sentiments in his mind. He now appreciated fully the wise advice given him by Jonardun Punth to lead a family life, and became convinced that, by relinquishing the world, a man fails in the performance of important duties which he is bound to discharge. After leaving Chitrakoot, he visited, one after another, Prayaga (Allahabad), Kashi (Benares), Ayodhia (Oudh), Muthoora, Brindabun, Haridwar and the sacred places on the Himalayan range, such as Kedar and Budrinath. He then came southward, and, after seeing Dwarka, Joonaghur and Dakoor, made his way towards Paithan. Wherever he halted, it was his wont to stop in some temple, or *chatram* (rest house), on the outskirts of the place; on arriving at Paithan, he took up his abode in the very temple in which he had heard the voice of God.

There was no arrangement in the temple for supplying food to strangers, and it was, therefore, necessary for Eknath to go to the village for alms. It so happened that, at the

same time, Chakrapani, after visiting a temple, was returning home ; but, feeling tired, he sat down to rest in front of one of the houses of the place ; and, while he was there, who should come out of the house but Eknath. He was in the garb of a hermit, and Chakrapani took him for a *Yogi*. But, on looking at him more closely, he was struck with his resemblance to Eknath, and called him by his name. Eknath had not intended to visit his grandfather and grandmother, although he had thought of making enquiries about them. When coming out of the house, he had, in fact, recognised Chakrapani, but he did not speak to him. But, when he heard the voice of Chakrapani, he could no longer restrain himself, but bowed down before him, and related to him all that had happened to him during the past thirteen years. It gave Chakrapani much pleasure to hear from Eknath an account of his religious life, and he blessed him heartily. Chakrapani then asked Eknath whether it was right on his part to leave him and his wife in this their distressed condition. Eknath gave no reply, but wept bitterly. He then confessed that he was the cause of all their troubles, and asked Chakrapani's pardon for what had happened. Chakrapani forgave him, but he begged him not to continue his pilgrimage. To this Eknath replied with all humility that it was the order of his spiritual guide that he should first visit all the places of pilgrimage in India, and then return to his native place and lead a family life. On hearing this, Chakrapani handed him the letter of Jonardun Punth that was with him. The purport of this letter was that it was Eknath's first duty to minister to the wants of his grandfather and grandmother, who in their old age and distressed condition sorely needed his help ; that to serve them was of greater merit than the performance of pilgrimage, and that, after reading this letter, he should cut short his journey, and place himself at the service of Chakrapani and his wife. Eknath obeyed the injunctions of Jonardun Punth.

After serving his grandfather and grandmother to the best of his power, he felt that it was his duty to do good to the people of Paithan. So, on the spot where he had met his grandfather again, he built a small room to which he used to resort daily, in order to explain the *Shastras* to the people, and to perform *Kirtun* and sing hymns ; and there the people used to assemble and listen to him, and the ability with which he expounded the *Shastras*, and the noble sentiments which his *Kirtun* and hymns breathed, exercised a great influence over them. In time, Eknath's audience increased to such an extent that the erection of a larger structure became necessary to accommodate it, and the people of Paithan raised a fund from

among themselves, and built a temple with adjuncts to it sufficient to meet all requirements. This temple came to be known as *Nath-mandir*. The fame of Eknath as a good Haridas spread abroad, people from distant places came to hear him, and the presents made him by the devotees enabled him to support himself and his family. At this time a respectable gentleman of Bijapur, hearing of his reputation and the religious life led by him, offered to give his daughter in marriage to him, and, the matter having been settled with Chakrapani, the nuptial ceremonies were duly performed.

Eknath lived happily for some years ; but no one is destined to enjoy happiness unalloyed in this world. Calamities at length overtook him. He lost his grandfather and grandmother one after another. These events afflicted Eknath greatly, but he consoled himself with the reflection that the visitations of Providence are intended for the good of mankind. After this, he heard of the death of his spiritual guide. During the life-time of that great man, he had shown his gratitude to him for the great benefits he had obtained from him, and after his death, he took steps to keep his memory alive. With this view, he organised a religious gathering on the anniversary of Jonardun Punth's departure from this life.

Eknath was accustomed to rise very early in the morning. After bathing and worshipping, he used to read the Puranas. His next duty was to attend to the strangers who came to his house, and whose wants he supplied to the best of his power. In the afternoon, he used to go to the temple, in order to expound the *Shastras* to the people, and remained there till evening, when he returned home ; but shortly after offering his evening prayers to God he would come back to the temple. At this time, Eknath used to perform *Kirtun*. In this he displayed his oratorical as well as poetical powers. Taking some text of the *Shastras* for the subject of his discourse, he would explain it in a lucid manner, illustrating it with incidents and stories bearing on the subject. His style was characterised by ease and sweetness, and he had the gift of extemporising in verse. His religious discourses kept his audience spell-bound. He soon became famous as an expounder of the *Shastras* and an orator, and people from distant places came to Paithan to hear him. In time, the audience became so large that even the spacious temple would not hold them, and the people raised a fresh fund and made additions to it. Then Eknath's labours increased greatly : but, fortunately, a relation of his named Oordhun became his disciple at this time, and assisted him with great devotion.

The famous saint Dnyanadeva (জ্ঞানদেব) had published a Mahratti version of the Bhagabat Geeta, with his notes on the

text, which goes by the name of Dnyaneshwari. The book is an excellent one, and Eknath took great pleasure in reading it ; but its style is so obscure that people find great difficulty in understanding it. With the view of making it more popular, Eknath wrote a commentary on it, explaining the difficult passages. His efforts met with success, and the people read the work with eagerness, and derived much advantage from it. The religious instruction which Eknath gave produced a marvellous effect on the inhabitants of Paithan ; and many persons of evil habits became reformed and devoted themselves to the worship of God.

Whilst leading men into the path of rectitude by his religious discourses in the temple, Eknath was not unmindful of the poverty of the people around him, and it became his inmost endeavour to give them relief. The presents he received from his hearers in the temple always kept him in funds, and, after defraying his necessary expenses, he used to spend whatever was left in affording relief to the needy. When necessary, he attended sick persons. People resorted to his house for help in large numbers, and he used to assist them to the best of his power. As has already been mentioned, it was his daily duty to feed those who came to him. In this he made no distinction between rich and poor, between a Brahmin and a Shudra, but served all with the same sort of food. A special trait in Eknath's character was that he acted up to the principles he advocated. His instructions to the people were :—" A Brahmin who is illiterate and of dissolute character should not be given the respect due to a Brahmin properly so called, but if a man belonging to a lower class shows rectitude of conduct, he should be venerated. If a Brahmin of low character and a helpless person come for help at the same time, preference should be given to the latter." Eknath was of a mild disposition. He was careful to do nothing that he thought likely to wound the feelings of others. He was also forbearing, and bore the ills of life with equanimity.

Though the inhabitants of Paithan greatly revered him, there were certain Brahmins who conceived malicious feelings towards him, and some of them even went the length of injuring him. These Brahmins used to earn money by performing *Kirtun* : but whenever Eknath's performance took place, no one went to hear them. There was another cause of their enmity towards Eknath. The teachings of Eknath, and the good example set by him, succeeded in reforming many persons of vile character. The Brahmins used to earn money by performing expiatory ceremonies for those who committed heinous sins ; but when these men forsook their evil ways,

expiatory rites became unnecessary in their case, so that their income was reduced. They began to make false charges against him in order to injure his reputation, and they also applied low epithets to him in the course of conversation; but nothing ruffled the temper of Eknath. He gave no response to these persecutors. Far from retaliating the wrongs done him, he continued to pay the Brahmins the respect due to them as Pundits. This noble conduct shamed the Brahmins, and they ceased to injure him.

Eknath had a marvellous power of bearing with patience the wrongs done him by others. In illustration of this, it is narrated that, on a certain occasion, he was returning from the Godavery after bathing, when a Mahomedan spat on him. Eknath said nothing, but quietly went back to the river to bathe. When he returned, the Mahomedan again treated him in the same manner. Eknath went to the Godavery a second time and bathed. Again he received the same treatment from the Mahomedan. In this manner the affair went on throughout the whole day. It is said that in the evening the Mahomedan became a mute, and this visitation of God convinced him that Eknath was a man favored of Heaven. He then repented of what he had done, and asked the pardon of Eknath by signs, whereupon Eknath blessed the man, and he began to speak.

The fame of Eknath as a great scholar and a writer of note spread abroad, so that even the Pundits of Benares came to hear of it. On a certain occasion, a famous Pundit of that place sent to Eknath for an explanation of some verses of a puzzling nature composed by him. Eknath, after explaining them in four different ways, sent back the verses to the Pundit. The Pundit, being satisfied with Eknath's explanations, showed them to other Pundits, who were loud in his praise, and one of them showed his appreciation of his merits by coming to Paithan to see him.

Brahmins of questionable character never received from him the respect which was due to them as Brahmins: but, whilst viewing their conduct with displeasure, he showed no mark of hatred towards them. It was his inmost endeavour to lead them to the path of rectitude. In fine, he sought the welfare of all, irrespective of their caste, their position in life, and their character. He did not consider himself to have done his duty by simply preaching the truths of religion and giving instructions within the precincts of the temple, but used to go to the houses of the people to give them lessons in morality and religion. By this means, he succeeded in reclaiming persons of bad character, and inducing good men to advance in the path of progress.

Eknath adopted a peculiar method by which he put to shame those who tried to injure him. It is related that, on a certain occasion a thief came to his house to rob him. Eknath became aware of his presence, but remained quiet, while the thief took one thing after another. When he was about to go away, Eknath accosted him, telling him that there were some more valuable things which would be of great benefit to him, and that he should not leave them behind; and his words so shamed the thief that he not only restored what he had taken, but abandoned his evil habit.

The following is Eknath's portraiture of a saint: A garland of *Roodraksha* may or may not adorn the neck of a saint, but he must be of a pure heart, and he should speak to others in a mild tone. He may not have twisted hair on his head, but he must possess self-knowledge, and be a man of large experience. His body may not be covered with ashes, but he must not turn his eyes towards women with a bad motive. A saint should not be covetous. He should not speak ill of others. There are many who give good instructions to others, but do not act up to the same themselves. That man is really a saint who shows by his own example what he preaches to others.

Eknath showed conclusively that a man can be of more service by living in the midst of worldly affairs than by relinquishing them. He was blessed with two daughters and a son, the latter of whom made considerable progress in knowledge, and became known as Hari Pundit.

There are some striking incidents in the life of Eknath. Whatever may be thought of the miraculous events, with which they are associated, they show his reputation for magnanimity. It is related that, on the occasion of the anniversary of his father's death, he made arrangements to entertain a number of Brahmins. The food was skilfully prepared, and its odours were wafted by the wind outside the house. Some men belonging to the lowest class of Hindus who happened to be passing by, smelt the odour of the viands and remarked to one another on the delicacies that had been prepared and their ill fortune in being unable to enjoy them. Their remarks reaching the ears of Eknath, he brought them into his house, and fed them sumptuously. Arrangements were afterwards made to prepare fresh dishes for the entertainment of the Brahmins who had been invited; but, when the Brahmins came to know of this, they felt themselves insulted, and refused to come to the feast. Eknath was greatly mortified, but said nothing. While he was still brooding over the matter, he observed some Brahmins entering his house. Though they were strangers to him, he gave them a hearty re-

ception, and fed them sumptuously. After the repast was over, the Brahmins took leave of him, much gratified with the way they had been entertained. The Brahmins of the neighbourhood who had refused to partake of Eknath's feast saw them coming out, and, coming close to them, were astonished to find that they were no other than their deceased ancestors and neighbours. This strange occurrence brought them to their senses, and they became convinced that he was a man favoured of Heaven, and came to him and obtained his pardon for what they had done.

There was a certain devotee named Rama in Paithan, who, though he was a Shudra, used to go with his wife to the temple daily to hear Eknath. Eknath's teachings regarding caste induced Rama to think that he might invite him to dine with him. Eknath accepted the invitation, and went to his house at the appointed time. On hearing of this, some Brahmins of the neighbourhood went to the house of Rama, and saw Eknath dining there. On their way back, they met some other Brahmins, and told them what they had seen; but as the latter had just seen Eknath at his own house, they were filled with amazement. All the Brahmins then repaired together to the house of Eknath, and saw him there talking to his disciples. They then returned to Rama's house, and, to their astonishment found him there also chewing betel-nuts. When they attempted to speak to Eknath, he disappeared, and no one could see where he went.

Another tradition is that a Brahmin of Paithan deposited a piece of gold with Eknath, and went to a distance on business. Eknath, thinking the temple a secure place, kept the gold there: but it so happened that it got thrown into the river along with the flowers offered to the deity. On his return to Paithan, the Brahmin went to Eknath, and asked him for the gold. Eknath searched carefully, but could not find it. The Brahmin thereupon became enraged, and abused Eknath, who bore everything quietly, and, when his temper had somewhat abated, requested him in gentle tones to accompany him to the river. The Brahmin complied, and both went to the Godavery. On reaching the river, Eknath picked up some stones from its bed, and holding out his hand, told the Brahmin to take his property from it. The Brahmin thought Eknath was joking with him, and treated his words with contempt. Eknath then begged him to take one of the pieces of stone. The Brahmin did so, and on looking at it he saw that it had turned into gold.

Some account must now be given of the writings of Eknath. As we have already said, he was a great poet. Poetry in the form of *abhangas* and *slokas* came from his lips extemporaneous-

ly. He also wrote several books. To enable people ignorant of Sanscrit to read the Bhagbat, he set about translating that work into Mahratti, and added exegetical notes. When two chapters of the book were finished, a Brahmin took a copy of them, and it became his daily duty to recite them. It so happened that the Brahmin had occasion to go to Benares, and, whilst there, he continued to recite the two chapters of the Bhagbat, after bathing in the Ganges, in the hearing of the people. The beauty and eloquence of the style, and the masterly manner in which the passages were explained, attracted the attention of a certain local Brahmin, who mentioned the version to a Sannyasi of great learning who was at that time in Benares. The Sannyasi expressing a desire to see the work, the Brahmin showed him the two chapters of the Bhagbat. He too was struck with its excellence : but he disapproved of the contents of religious books being made public, lest the people should be able to acquaint themselves with the *Shastras*, and no longer need instruction from Pundits who would thus lose their prestige. He, therefore, ordered one of his disciples to throw these two chapters of the Bhagbat into the Ganges. He then ascertained the name of the commentator, and sent some of his disciples to him with a letter requesting him to come to Benares with the Mahratta version of the Bhagbat made by him.

On arrival at Paithan, the men handed over the Sannyasi's letter to Eknath. Eknath had heard the name of the Sannyasi, and he considered it desirable to comply with his request. At that time, five chapters of the Bhagbat were ready, and he took them with him to Benares, and handed them over to the Sannyasi. The Sannyasi read them, and was convinced by them of the great ability of Eknath, but told him that he should not have undertaken the translation of the Bhagbat, as it would lower the prestige of the pundits, who were virtually the expounders of the *Shastras* to the people. Eknath replied that he thought he was doing good by making the Bhagbat accessible to those who were ignorant of Sanscrit, and that there was no injunction in the *Shastras* against such a course. After this an assembly of pundits was held in which a discussion took place between Eknath and the Sannyasi on the Hindu *Shastras*. In the course of the discussion, Swamijee put several intricate questions to Eknath ; but he gave suitable replies to them all. Then Eknath, in his turn, put some questions to Swamijee ; but that learned man failed to give satisfactory replies to them. In this discussion Eknath displayed a vast knowledge of the *Shastras* and great power of argumentation. The Sannyasi lost his temper ; but Eknath carried on the discussion with calmness. The logomachy ended in the

victory of Eknath, and his fame now spread throughout Benares. The Pundits of that sacred place recognised him as the greatest Pundit of the time, and began to show him becoming veneration. At their request, Eknath remained in Benares for some time. During his sojourn here, he wrote an excellent book, called Rukmini Sayambara, or the marriage of Rukmini with Sree-Krishna, and completed his commentary on the Bhagbat, now known as Eknathi Bhagbat. It is not known what other work was done by Eknath during his stay at Benares : but it is probable that he continued to instruct the people by means of *Kotha* and *Kirtun*.

After returning to Paithan, Eknath resumed his work of instructing the people in the temple. At this time, he wrote some books, among which was the Bhavartha Rámayan, an elaborate poem of considerable merit. He did not live to carry this work beyond the account of the war between Ram Chandra and Ravana ; but it was completed by one of his disciples after his death. He wrote some other books also, viz., Arma Sukha, Hastamulak and Ananda Lahari : but it is not known when they were written. During his life-time, the books were known to a few persons only ; but they became popular after his death.

The character of Eknath's teachings at the temple, which produced a marvellous effect on the audience, may be gathered from the following precepts :—

1. When taking the name of God, do so with sincerity. Mere utterance of it is of no avail.* If you take the name of God and at the same time do not abandon your sins, you show insincerity.
2. Remove evil thoughts from your heart : and let Vithal (God) be the object of your thought.
3. Go to worship God with a pure heart.
4. Your first duty is to maintain your family. If you fail to perform your duties to those who depend on you, but make a show of your liberality by relieving the wants of others, you commit a great sin.
5. Whatever help you give to your fellow brethren, consider it to be your duty to give it. Do not expect anything in return for it.
6. Lead a family life, but do not be tenaciously attached to the things of this world.

In the year 1609 A. D he was taken ill. Feeling that his end was approaching, he sent for his disciples, and told them that he was soon about to leave them. He then expressed a desire to go to the banks of the Godavery and perform a *Kirtun* there. His disciples made the necessary arrangements ; and, the next day, after rising from his bed, Eknath bathed

and performed his usual worship. He then, with his disciples and other men who had assembled at his house, went towards the Godavery, repeating the name of Hari. On reaching the banks of the river, Eknath saw a crowd of men of different castes who had come there to hear his last *Kirtun* and to bid him farewell. Eknath was pleased to see them, and performed *Kirtun* with great enthusiasm. After the performance was over, Eknath took leave of all. He then walked into the river, and, after repeating several times the words "Victory to Jonardun," he took his *Samadhi*, i.e., absorbed himself in the Great Spirit. After a while the people brought his corpse out of the river and burnt it. A monument was then raised on the spot, and on it was placed the pair of sandals which Eknath had worn. At this spot, a gathering takes place every year to commemorate the anniversary of his death.

The great devotion of Eknath to his spiritual guide is an example worthy of imitation. The present age, with its so-called liberal views, may regard that devotion as servility; but it should be borne in mind that the relations which existed in ancient times between the teacher and the taught produced many dutiful men, who succeeded in placing India in the van of advancement. Eknath and Jonardun Punth followed the time-honoured procedure, and the result was that the teacher had every reason to be proud of his disciple, and Eknath, by the service he rendered to Jonardun Punth, rose to the acme of progress, and succeeded in showing an example of humility, forbearance, and activity, which has given him a high place among the saints of India.

There is an impression among some of us that, if we wish to obtain salvation, we must renounce the world. The life of Eknath has proved it to be an erroneous one. Eknath led a family life, and in the midst of it he showed his great devotion to God and his love to mankind. Indeed, the life of Eknath shows that a devoted servant of God can do more good in the midst of his family than in a place remote from the habitations of men.

At a time when priestcraft was in full force, Eknath displayed a liberality of mind which is wonderful. Whilst the Brahmins of Paithan hated the Shudras, Eknath made no distinction between a Brahmin and a Shudra. He served the same sort of food to both. He received them both at his house in a kind manner. He even went to the length of paying greater respect to a virtuous Shudra than he did to a depraved Brahmin.

In his dealings with the people, he made no distinction between Brahmins and Shudras. According to the Hindu *Shastras*, a Brahmin can take his food at the house of a virtuous Shudra. But the injunctions of the *Shastras* have been

thrown into the back ground, and customs which are the creation of the present time, have taken their place. Not to speak of Shudras, Brahmins of one class are now seen refusing to dine with their brethren of another class. It is much to be regretted that the liberal education our country-men have received has not yet resulted in imbuing them with liberality. The Hindus of the present day profess to have a great regard for the *Shastras*. But what do we see? They in reality attach more value to customs which are contrary to the injunctions of the *Shastras*, than to the *Shastras* themselves. This is the greatest of the evils that are corroding the heart of Hindu Society, and it should be the endeavour of every reformer to root it out. Mere preaching will not effect much. Let men like Eknath arise, and show by example what they preach. Eknath rose above the prejudices of his time. He had the courage of his convictions. He knew that it was against reason and the *Shastras* to refuse the invitation of a virtuous Shudra, and he accepted it; and the result is that, instead of being ridiculed, he is adored as a saint.

DEENANATH GANGULI.

ART. V.—ANQUETIL DU PERRON.*

THE fame of Anquetil Du Perron was for a long time under eclipse. This was partly his own fault, for he was eminently self-willed and unsociable, and could not get on with his own countrymen any more than with the English. But the chief cause was the jealousy of Oxford men, who refused to believe that anything good could come out of such an objectionable combination as an Indianised Frenchman—a Gallo-Indian, if we may coin such an expression. All this has now passed away, and Anquetil Du Perron has come to be recognised as a discoverer of hidden treasures of knowledge, and as worthy to be ranked, for devotion and acceptance of hardship, though not, I fear, for staying power, with St. Jerome and Csoma de Koros. In the present paper I do not mean to dwell on his services to Zend scholarship, a subject which I am incompetent to deal with, but I shall endeavour to describe the picturesque circumstances of his life, and to notice one or two of his less known performances.

Anquetil Du Perron, whose Christian name was Abraham Hyacinthe, was born at Paris on 7th December, 1731. He had an elder brother, born in 1723, who was also a distinguished scholar and writer of books, and a younger brother, who rose to be chief of the French Factory at Surat. He was partly educated at Amersfoort in Holland, whither he was sent, it seems, by the Comte de Caylus, Bishop of Auxerre, to study Hebrew and Theology † with a view to his entering the Church. Amersfoort is twelve miles North-east of Utrecht, and on the south of the Zuider Zee. It has, or had, a Jansenist Seminary, which is perhaps the place where Du Perron studied, and which is mentioned by him in his *Discours Préliminaire* under the name of Rhynweck. When he was at Chander-nagore, he tells us, he used to regret the tranquil, serious and laborious life which he had led at Rhynweck under the eyes of M. Le Gros and M. L'Abbé D'Etémare. He, however, staid there only long enough to learn Hebrew and Arabic, and then returned to Paris, where he set himself to read in the King's Library, and gained, by his assiduity, the notice of the Librarian and of other scholars. In 1754 he happened to

* There is a notice of Du Perron by Dr. George Smith in Vol. XXIX. of the *Calcutta Review*, in an article called *India and Comparative Philology*, and it has been republished in Vol. VII. of the *Selections*.

† At p. 417 he refers to a display of knowledge of Thomas Aquinas, which he made at the island of Salsette, and at p. 425 also to his chaunting the creed there in church. Possibly these were remains of the Auxerre or Amersfoort studies.

see a facsimile four pages of the Oxford Vendidad Sâdî, which had been obtained at Surat by George Bouchier in 1718 and brought to England by Richard Cobbe in 1723.

This was the turning point of Du Perron's life, for he at once resolved to go to Gujrat, or Persia, in order to translate the work. His idea was approved of by Abbé Barthelemy and others, and the assistance of the French East India Company was promised to him. But the times were unpropitious, for the French Company had been exhausted by its long struggles with the English for the possession of the Carnatic, and 1754, the year of Du Perron's resolve, was also that of the fall of Dupleix. The expected appointment and passage to India did not arrive, and the young Du Perron got tired of waiting, and resolved to enlist as a private soldier of the French Company. "My impatience," he says, "to begin a career which I foresaw would be long and be strewn with difficulties did not suffer me to await the fulfilment of the promises of those who were interesting themselves in my design. I was also determined to be indebted to nobody but myself in such an enterprise, so that I might not have to incur reproaches in case of failure. . . . Such being my sentiments, and being sure of the strength of my character, and practised for several years in an austere life, and in vigils and sobriety, the position of a soldier of the Indian Company appeared to me to be the only one open to me." He, therefore, went to the recruiting agent, and with some difficulty induced him to enrol him. The short time that preceded his departure, he employed in putting together, without his relatives' knowledge, his kit for the march, which consisted of but two shirts, two handkerchiefs, and a pair of stockings. To this he added a mathematical case, Leusden's Hebrew Bible, Montaigne's Essays, and Charron's Treatise on Human Wisdom. Only the evening before his departure did he break the news to his brother. "What an interview! I cannot think of it without a shudder." His brother promised to keep his secret for two days, and Anquetil set off next morning on foot, after distributing among his new comrades the regulation kit supplied by the Company. They started in winter, 7th November, 1754, under the command of a petty half-pay officer, before daybreak, and to the melancholy sound of an ill-tuned drum. Their destination was L'Orient, a seaport on the Bay of Biscay, and the Headquarters of the French East India Company. The march occupied ten days, and Du Perron gives a melancholy account of the state of the roads, the wretchedness of the peasantry, and the vices of his companions. His account of the latter bears out the complaints of Dupleix, that the recruits sent to him were the vilest *canaille*, and shows that the French

Company was even worse served than the English, though the latter also could not afford to be nice about the quality of their men, as may be seen from the account in Scott's Surgeon's Daughter. One incident described by him shows that there was the same jealousy between King's troops and Company's troops in France as in England. Du Perron's detachment had reached Ancenis, in Brittany and on the Loire, but were not allowed to be billeted there, as it was occupied by the King's troops. After waiting in the Square for three hours, exposed to the most bitter cold, they were obliged to march off to a village six miles away. It had been raining for two days, and the roads were frightful. It was night when Du Perron reached the cottage assigned to him. The miserable hut was only half thatched, and inside was a poor peasant-woman suckling her child, and surrounded by three other children nearly naked.

"Some charcoal, hardly smoking, no bread, eggs or milk, for men starving and frozen to the marrow."

The half-pay officer (L'Invalide) threatened and swore, but Du Perron's youth and gentleness were more successful, and the scene ended somewhat like a well-known one in Rousseau's Confessions.

Du Perron's sufferings were now nearly at an end. He reached L'Orient on 16th November, and next month the Company's Director gave him his discharge, and told him that the King had granted him an allowance of 500 francs a year, and that the Company would allow him a free passage on one of their ships, the *Duke of Aquitaine*,* a seat at the Captain's table, and a cabin. They set sail from Port Louis on 24th † February, 1755, and arrived at Pondicherry on 9th August following. Thus the voyage lasted only about five and a half months, which would seem to be rather a good passage, especially as they stopped on the way at Mauritius and Bourbon. But it was marked by a disastrous sickness. A contagious disease broke out among the passengers and crew, and carried off upwards of a hundred men, including the Captain. For a time it could not be diagnosed, but at last the Surgeon's mate recognised it as similar to an epidemic that he had seen in the prison of the Bicêtre. It had, indeed, been brought from there, or from other prisons, by some jail-birds among the recruits. It was the ship's first voyage, a fact which, perhaps, accounts for the quick passage—and we are told that the unseasoned condition of her timbers aggravated the malady. One soldier, a scum of the prisons,

* Apparently this vessel was afterwards taken by the English, and foundered off Madras in a storm in 1760. See Markham's Rennell, p. 34.

† See his table of Errata.

threatened to sink the ship ; so they put him in irons, and, when he contrived to escape, they tied him to the mizzen. There, having nothing but biscuit and water, and being exposed to the sun and rain, he arrived in good health at Mauritius, while all the crew were on the sick list. They left him there and got in his room a soldier who had escaped the gallows in Europe and deserved them a second time shortly after his arrival at Pondicherry.

It is interesting to compare Du Perron's voyage with that of Dr. Ives in the *Kent*. Both ships set sail on the same day of the month, but a year apart, the *Kent* leaving Plymouth on 24th February, 1754, and the length of the voyage was about the same, for the *Kent* anchored off Fort St. David on 10th September. Ives' ship also was attacked by sickness, a putrid fever breaking out on board, and this being followed by scurvy. There were over 150 sick on the *Kent*, but they nearly all recovered by being landed at Madagascar.

When Du Perron arrived at Pondicherry, he found that Dupleix and Godheu, to whom he had letters of introduction, were gone, and that the Governor-General was De Leyrit, who had been transferred from Chandernagore. His reception was rather mortifying, De Leyrit taking almost no notice of him. He had, indeed, come at a bad time, the French officials being in no mood to listen to questions about Zend or Sanscrit. Afterwards, however, De Leyrit allowed him Rs. 65 a month, or about 1,900 francs a year ; but this was inclusive of the King's pension of 500 francs. In 1760 De Leyrit raised his pay to Rs. 100 a month, in consideration of his travelling expenses and of his having to see the Parsi priests. This was the utmost he ever drew in India ; and though, as he says, it only sufficed for bare necessities, yet he is candid enough to acknowledge that it was very good of De Leyrit and the Company to allow him so much, seeing that he never was of the least use to their Factories. De Leyrit, indeed, had proposed to him to act as Interpreter, and the instance was pointed out to him of a man who had acted in this capacity and had amassed a fortune of four lacs. " But then," says Du Perron, " I would have had to stay at Pondicherry and give up my investigations. Moreover, the mercenary and quasi-menial office of Interpreter did not suit my independent character."

The young and ardent scholar found Pondicherry too gay for his taste, and went off to Gingi, without ever bidding adieu to the Governor. At Gingi he contracted a dangerous illness (the place being famed for its insalubrity), and had to return to Pondicherry. He did not, however, stay long there, but went off, contrary to De Leyrit's wishes, to Chandernagore, in April, 1756. The ship reached Goulpil (?) at the Sandheads, and

there Du Perron quitted her for a pinnace, in order to arrive more quickly at Chandernagore, but he was compelled, by a new attack of fever, to fall down the river again to Báranagar. Here he had an experience which reminds us of the spies at Jericho, for he was taken into a brothel kept by a woman named Catan. "They took me to this woman's house as the place where I would be best cared for. A bed was at once made up for me, and Catan and two of her girls sat down beside me, and for five hours nourished me with tea and sago. Delighted with the humanity of these poor victims of debauchery, I paid them liberally, and the whole of the inmates reconducted me to the pinnace wrapped in a blanket, making a thousand prayers for my recovery. I have since heard that the Mahomedans, when they marched against Calcutta, towards the end of 1756,* destroyed this place and dispersed the inmates." He describes Báranagar as famous for its silk and cotton fabrics, and as inhabited by black Christians who formerly were under the Portuguese, but were at the time of his visit under the protection of the Dutch. Most of the houses were brothels, Catan's being the largest. There was a cross over the door to her house, and on the right, as you entered, there was a Chapel dedicated to the Virgin, and on the left one dedicated to St. Anthony. The interior was divided into little chambers, each furnished with a bed and musquito curtains. Two black doctors looked after the health of the inmates, and the whole was under the direction of Catan, who was said to be worth sixty thousand rupees.

Du Perron reached Chandernagore on Maundy-Thursday, 22nd April, still suffering from his fever, and was coldly received by the Company's Director. His treatment, he says, disgusted him with the Settlement, and he made no friends there. He passed his days in translating Persian books, and in walks in the charming environs. He spent about a year here, and then left it suddenly, as he had left Pondicherry, without even notifying his departure to the Director. The excuse he gives is that he found he was wasting his time, and that he foresaw that Chandernagore would be taken by the English, and that probably he would be sent back to Europe, a prisoner, just when he had reached the goal of his voyage. "My conduct was blamed, but if it led to the misfortunes which poisoned part of my Indian career, it led me, on the other hand, to the knowledge of India, and to the acquisition and translation of the works of Zoroaster." He left Chandernagore on 9th March, 1757, for Cossim.

* Probably this refers to Siraj-ud-Daulah's second march to Calcutta, after the tragedy of the Black Hole, and in the end of 1755, or beginning of '57.

bazar, which he reached in four days. His design, he says, was to help his countrymen, by using his knowledge of Persian, to represent their danger to the Nawab, and eventually to make his way to Benares, where he would settle down to the study of Sanscrit. He went by land, and forded the Ganges (the Bhagirathi) at Plassey, which he describes as a long succession of scattered houses extending over about eight miles, and as the place where the Nawab kept some 400 elephants. Beyond Plassey he stopped at a large Banian tree beside a tank, which he says could have given shade to more than 600 men. I am afraid that it must have now disappeared. He reached Cossimbazar, or rather Syedabad, at 8 P. M. on 12th March, and was kindly received by Law, the nephew of John Law, the financier, though the latter did not approve of his journey. A few days afterwards he went in the afternoon with Law to pay his respects to the Nawab (Sirajah Daula) who was then at Hirajil on the opposite side of the river to Murshidabad.

"The Nawab was expecting me, for they had told him that a Frenchman was coming who could speak Persian. Before reaching the Darbar, I crossed three spacious courts filled with servants and sepoy. Then I entered a beautiful garden, adorned with rows of trees and flower-borders furnished with irrigation-channels. At the end there was a Terrace, at the foot of which I left my shoes and made the *Sijda*, carrying my hand from the ground to my head. The Darbar was on the Terrace, and was a large Divan, open towards the garden and with one side to the river. It seemed to be about 25 or 30 feet square.

Its canopy was supported by pillars draped in embroidered muslin, variegated by tassels of gold and silver bands. In the walls there were a number of little niches (*tâqs*), and the floor was covered with mats over which there was a double or treble muslin carpet. I found the Nawab reclining in the middle of this Divan, resting on a brocaded cushion. He had only a skull-cap on his head: his dress was of embroidered muslin, and he had kinkob pajamas. He had an ivory baton, ending in a silver hand, with which he frequently scratched himself. He seemed to me to be of middle height, and was black, bright-eyed, and with a very open countenance. He disliked the English, who had been rude to him in the Nawabship of his uncle (read grand-father). On his left were his brothers, seated on the carpet with their legs crossed. I put myself behind Mr. Law, who was on the prince's right, and alongside of me were Mir Madan, a Mogul lord, and Rajah Dulab Ram and five or six other Rajahs, each of whom could put some 20,000 men in the field. Our interpreters stood behind us, and the officers of the Palace, the guards, &c., formed a horse-shoe, leaving the front of the Darbar open. The interview consisted of compliments and of ridiculous questions on the part of the Nawab, who seemed more taken up with our dress and plumes, than with the business that had brought us there. . . . While we were there, the troops came to pay their respects, a ceremony which takes place morning and evening. The officers advanced at the head of their companies, stopped at the foot of the Terrace, made the *Sijda*, and said: "Umr Daraz daulat Ziyada bashad," i. e., "Live long

and increase in dominion." Scarcely had we left the Palace than we heard a dreadful noise of drums and trumpets, mingled with the discharge of muskets and of *Cailleteques*.* This was the Nawab going to the Mint with a retinue of about 4,000 men. He was in a palanquin followed by several elephants, and lighted by upwards of 400 seven branched torches. We got down according to custom, and then continued our journey."

On the 19th March, the news came to Syedabad that Chandernagore was closely invested ; and Anquetil, being now convinced that the Nawab's assistance would not come in time, left for Chandernagore the next day. He arrived in sight of it on the 23rd, just after it had surrendered, and he had considerable difficulty in escaping being made prisoner. He got his boatmen to land him on the east side of the Ganges opposite Chinsurah, and eventually made his way back to Cossimbazar, which he reached on the 28th. On the way thither, four miles below Plassey, he met the army which the Nawab had sent to relieve Chandernagore. It was commanded by Rajah Dulab Ram, his Lieutenant being the brave Mir Madan, who afterwards fell gloriously at the battle of Plassey. Du Perron's description of Mir Madan is as follows :—" I found him," he says, " at his toilette. He was a Mughal, about 5 ft. 10 in. in height, and nearly white. He had regular features, while a sabre cut on his cheek gave him a soldierlike air. He was standing before a glass, naked to the waist, and busied in twisting his moustaches, while his barber was shaving his arm-pits, &c. He sent me to his brother, who was in command of the artillery."

From Cossimbazar Du Perron marched with the force as far as Colgong, where they arrived on 1st May. Here an explosion occurred on the part of Law's officers, who found Du Perron's society intolerable, perhaps because he was given to captious criticism of their proceedings. No doubt, his abrupt departure from Chandernagore had never been forgotten or forgiven. The result was that he left the camp, and retraced his steps to Murshidabad, with the determination to make his way back to Pondicherry. He walked, attended by a coolie, as far as Rajmehal, and then, owing to his swollen leg, he purchased a pony, and reached Murshidabad in safety, in spite of dangers from wild elephants and from losing his way. In a note he gives the itinerary from Colgong to Cossimbazar, and confirms the statement of Orme, that Sirajah Daula blocked up the Bhagirathi in order to prevent the English ships from descending by it to his capital.

At Murshidabad he had an adventure with a well-known

* This word was first pointed out to me by my friend, Mr. Irvine. It means, see Du Perron's Index and Glossary, a long matchlock, which is fired from a rest. I think that the word must be a mistake for *mailteq* or *mailtoq*, which is given by Shaw and Zeuker as Eastern Turkish for a gun.

Mahomedan named Khuda Lati, which reminds us of a scene in Roderick Random. He set off on horseback from Murshidabad on 15th May, 1757, and consequently in the height of the hot weather. He gives an interesting account of his hazardous journey, but it is too long for insertion here. He travelled by Katwa, Burdwan, Midnapur, Balasore, Cuttack, and Jagannath, where he heard the story of the theft of the ruby which formed the idol's eye, but was told that the thief was a Dutchman. He had many encounters with the natives and wild beasts, and also fell in with an army of Sunyassis, 6,000 strong. At page 89 he mentions passing, four miles beyond Palour, and in the Ganjam territory, a small pagoda in the midst of the sands, looking like a pineapple and called by sailors the White Pagoda. He states that he carved his name on the west wall of the pagoda, and it would be interesting to know whether it is still there. He reached Ganjam on 10th June, after a journey of forty days, counting from 2nd May, when he left for Colgong. After halting five days there, he continued his journey *viâ* Chicacole, and Masulipatam and Pulicat, where he took a boat till he passed Madras. Then he resumed his land journey, passing by Sadras, and visiting the temples of Mahabalipur.* Eventually he reached Pondicherry, where he found his brother. In a note he says that his journey from Colgong was over 1,200 miles, and was made in 101 days, *viz*, 56 days of travelling and 45 days of halts. He found Pondicherry in a worse condition than it was in 1755. There were no funds in the Treasury, and so the officers could not get payment of their salaries. His brother was here appointed second-in-command at Surat, and the two went off together by sea to Mahe, where they arrived on 17th November, 1757. Here the brothers separated, as Du Perron went off in a coasting boat, which he calls a "tonni," (*i. e.*, a toni, or dhoney) to Calicut and Cochin. Returning to Mahe, he went by sea to Mangalore and Goa. Here he rejoined his brother, but the latter shortly afterwards went on by land to Surat. Du Perron remained for a month at Goa, and then went off to visit Aurangabad, Daulatabad and the temples of Ellora, of the last of which he gives a detailed description. In the course of their journey, he ascended and crossed the Western Ghats. He arrived at the foot of the mountains, he says, at 7-30 A.M., and reached the top at 11, after resting thrice on the way. The road was frightful and almost perpendicular, and with torrents on either hand. When he got to the top, he indulged for a moment in not unnatural exultation. The top of

* When near Covelong he would fain have put his boots on, for the sand burnt his feet, but, fear of being recognised for a Feringhi—he was in Hindustani dress and passed for a Mogul—compelled him to go on bare-foot, or at least with only sandals.

the Ghats, he says, "has the most beautiful turf in the world, and I sat down on it for a while to enjoy a pleasure such as wealth or greatness cannot give. Here I am at the centre of the seasons which regulate the operations of the Indians and of the European nations who are contending for the possession of this rich country. . . . Then I turned my face to the west, and I cannot recall without a kind of transport, those tiers of mountains surrounded by clouds, and bounded by the wide seas; those successions of villages whose gloom contrasts admirably with the shining flanks of the mountains; that group of peaks, heaped up, and flung at random, and smiling from the rays of the sun reflected by the waves of the sea,—all this still presents to my mind the idea of a chaos, which in a manner carries me away to the origin of the Universe."

Eventually he reached Surat in the beginning of May. "I found myself," he says, "at the gate of Surat at 5 P.M., much weakened by dysentery. I had to wait some time for the Nawab's passport. At last a peon of the French chief came for me, and at the end of half an hour I had the pleasure of embracing my brother at the French Lodge." The third part of the *Discours Préliminaire* begins with a lengthy account of the history of Surat, and of the doings of the English there. This account has some valuable notes, supplied to him by Nur Beg, the Librarian of the last Subadar of Ahmedabad, containing, among other things, a table of the 22 Subahs, or Provinces, of India. In a note at page 254, we have what seems to be an interesting chronogram, giving the date of the building of the Surat Fort. Du Perron states then that the Fort-gate has a Persian inscription, which he transliterates, "Sadd boud bar sinah djan Feringi in benah," and translates, "This fortress was built to stop the Feringhis." He also states that this gives the date 931, or 1524 A.D. Apparently the Persian, is مد بود بر سینۀ جان فرنگی این بنا, which yields, according to *abjad*, the number 931, and seems literally to mean: "This structure was an obstruction on the breast of the Feringhi." Anquetil staid nearly three years in Surat, arriving on 1st May, 1758, and finally leaving it on 15th March, 1761. But during this time he made an excursion to the Caves of Keneri in Salsette, and to Elephanta. It was at Surat that he achieved the object of his journey to India, *viz.*, the acquisition of the Zend books and their translation. He deemed his commencement of the study to be an epoch in literary history, and so was careful to set down the date according to various chronologies. It was, he tells us, on 24th March, 1759, corresponding to Amardad the 6th of Meher 1128 of the Yazdagird Era, 1172 Hijra and 1813 of the Era of Vikramaditya. But in a few months his work was stopped for a while by a disastrous accident. One day, seeing

a coolie struggling under the weight of a chest, he went to his assistance, and the strain of the exertion brought on an ailment, which was called in Surat the displacement of the navel. He gives a graphic account of the Pârsi massâgeur who cured him. Scarcely was he recovered from this illness when a new trouble assailed him. On 26th September, 1759, he was attacked at 5 P.M., in the middle of Sûrat, by a Frenchman who, as he says, had been stirred up against him by slanderous discourses. He received *trois coups d'épée, deux coups de sabre*, which I suppose means three thrusts and two slashes, and was just able to drag himself to the French Factory. This affair is referred to by Sir Erskine Perry in a notice of Anquetil Du Perron in the Proceedings of the Philobiblon Society for 1854, and he states that Du Perron succeeded in killing his adversary. Sir Erskine adds that, as Du Perron makes no allusion to the affair in his narrative, it is probable that some affair of gallantry was at the bottom of it. The statement that Du Perron does not allude to the occurrence is very unfortunate, for he refers to it in three places, *viz.*, pp 336, 431 and 440, though in none does he give details as to the cause of the quarrel, nor even mention his adversary's name, or state that he killed him. Sir Erskine Perry's statement to this effect is quite correct, and probably he got it from local information when he was Judge of Bombay, for none of Anquetil's French biographers seem to mention the fact. But I do not think that there is any ground for supposing that there was an affair of gallantry involved in the quarrel. Indeed, Anquetil seems to have been to some extent a misogynist, and so not likely to have been involved in trouble on account of a woman. At least, so I conjecture from his remark (p. 289, note) that the famous Madame Dupleix had all the vices, as well as all the merits, of her sex. A Frenchman, and one who wished to stand well with the sex, would hardly, I should think, have admitted that woman had any vices. Anquetil's account of the affair is incomplete, and marked with asterisks. At page 336 he tells us that he was attacked at 5 P.M. in the middle of Surat, and that the affair took place in the presence of more than 400 persons, who did not dare to separate them. He was able to drag himself to the French Factory, covered with blood. Thereafter he had to undergo the most painful operations. English, Dutch and Portuguese surgeons treated him. They used, he says, both fire and the knife, but the strength of his constitution saved him. The Nawab Ali Newaz Khan and others sent to make enquiries, and the English, after examining his adversary's servant, who was known to be greatly attached to his master, and other witnesses, came to the conclusion that, in spite of the war between the two countries, they could give him the protection of their flag. Apparently this was continued for

the remainder of his stay in Surat; for, though he tells us that, in April, 1760, he received permission from the Pondicherry authorities to return to the French Factory, yet he continued to reside in his English quarters, and we find him, in 1761, making use of his alleged position as an Englishman to sue another Anglicised Frenchman (?) for a debt due to Anquetil's brother, but which the latter had transferred to him (*vide* p. 433).

The second reference to the duel is at page 431, where he tells us that he received a letter from the new husband of his adversary's widow, threatening to carry the affair to Pondicherry and even to Europe. The effect of this was that he again sought the protection of the English. The last reference is at page 440, where he tells us that he saw, at Mahe, the Engineer officer who was the widow's new husband, and had a reconciliation with him. Possibly this engineer was the M. du Palmas of whom he speaks at page 124.

As Du Perron speaks of the Surat Council's having examined witnesses, and of the Bombay Government's having signified its approbation of their proceedings, it occurred to me that it might be well to examine the Surat and Bombay Records for September and October, 1759. On application at the India Office, these were obligingly placed at my disposal; and I found in them the following references, which throw a good deal of light on the duel, though they do not specify the cause of the quarrel.

Beginning with the Bombay Records, the first thing to be noticed is an entry of 13th September, 1759, stating that an express had come from Tellicherry, stating, among other things, that a packet of French letters had been intercepted, and forwarding a translation of one of them, the rest being only about private affairs. This is followed on the 18th idem by the following:—

"Resolved that an attested copy of the translation of the letters intercepted from M. Biquant be enclosed to those gentlemen (the Surat Council) to inform them of his having concerted a plan for seizing several Moors' ships even in Surat Road, and directing them to represent it to Meah * Atchand and Pharass Cawn, that they may take suitable notice thereof."

The next extract is from the Surat Records, dated 8th October, 1759:—

"A few days before we received your commands, giving cover to translate of M. Biquant's letter, a quarrel happened between him and M. Du Perron, brother of the French Chief, whom Biquant assaulted in the streets, and in which affray he was killed, and Mons. Du Perron dangerously wounded. Otherwise proper notice should have been taken of his proceedings as your Hon'ble Council directed."

* The Miatchen or Mu'inuddin and Fâris Khan of Du Perron. Miatchen was Nawab of Surat and Fâris Khan his Deputy, but he was the real Nawab according to Du Perron, p. 304.

On the 10th idem there is the following :—

"Monsieur Du Perron came to the Factory and requested we would give him protection on account of the unhappy affair that had happened between him and Mons. Biquant."

12th Idem.—The chief lays before the Board a letter which he this morning received from M. Anquetil De Briancourt, reclaiming Mons. Du Perron, who, on account of the unhappy affair that had happened between him and Mons. Biquant, came on the 10th instant to our Factory for protection. The same is therefore taken into consideration, and it appearing to us that Mons. Du Perron was not the aggressor, but on the contrary was assaulted by Mons. Biquant in the open street, and what he did was only in self-defence, it is agreed that the protection be given him that he has requested, notwithstanding the war subsisting between the two nations, and that the Chief write an answer to Mons. Briancourt to the purport of the above. Directed that copies of Mons. Briancourt's letter to the Chief and his answer follow this consultation, and other copies be forwarded to Bombay.

Translation of Mons. Briancourt's letter to the Chief :—

"Having been yesterday about some business at the French gardens, I was very much surprised to find at my return that M. Anquetil Du Perron had taken this opportunity to leave the French Factory and ran for shelter to yours ; that he received the protection of the English Flag, and that you granted it to him. As the unhappy affair which he had with M. Biquant, although known to the whole town the right he has on his side, renders him accountable to his superior until he has obtained his pardon. The duty of my trust, Sir, obliges me to reclaim him in the name of the King. In consequence thereof I shall be obliged to you if you would send him back to me ; in default of which I desire you would not take it amiss if I protest against his running away, and against the protection that you have granted him of your Flag.

I have the honour to be with profound respect,

SIR,

Your most obedient humble Servant,

Surat, 11th October 1759.

The Chief's answer to the foregoing is as follows :—

SIR,

I yesterday received your letter reclaiming Mons. Du Perron, who on account of the ill consequences that might result to him from the unhappy affair between the late Mons. Biquant and him, thought himself obliged to seek the protection of the English Flag till such time as his behaviour therein could be set forth in its proper colour. Notwithstanding the war between our two nations, yet, as we are in a neutral city, and I have sufficient testimony that Mons. Du Perron has on this occasion only acted on the motives of self-defence, on being assaulted in the open street, in such case I did not think I ought to refuse him the asylum he sued for in our Factory, which will be continued to him, and as this is no more than what is always practised amongst civilised nations, will, I doubt not, justify my protection of him not only to you, but to the whole world.

13th October.

The last entry is in the Bombay records of date 4th November, and is as follows :—

“Your granting protection to Mons. Du Perron on account of the late unhappy affair between him and Mons. Biquant meets with our approbation.”

The Chief of Surat at that time was John Spencer, and the councillors were Robert Holford, Samuel Court, Cecil Bowyer, and Robert Erskine. Nathaniel Stackhouse was the Secretary.

Though these extracts leave the cause of the quarrel unexplained, it seems unlikely that it could have been anything very discreditable to Du Perron, as otherwise the English would hardly have given him shelter, and that, too, in a time of war. Certainly it was not likely that there was any intrigue with Madame Biquant; for, if Anquetil had been her lover, she probably would not have been so forward and persistent in her endeavour to bring him to justice. I suspect that the affair arose out of Du Perron's unbridled tongue. Though a solitary man, or, perhaps I should rather say, because he was a solitary man, he was wanting in reticence, and often made imprudent and cutting remarks. He could not control his pen, as his personal narrative abundantly shows, and it is probable that he was equally reckless with his tongue. Though M. Biquant was the assailant, yet he probably had had provocation of some sort. Else why was the local French feeling so strongly against Anquetil, as seems to have been the case, and why had the latter not confidence enough in his own innocence to stand his trial, instead of taking the extraordinary step of twice soliciting the protection of a hostile nation. The letter referred to by the Bombay Government seems to show that Biquant was a man of violent character; and, if I may make a guess, I am inclined to think that some careless remarks by Du Perron about Biquant, or his wife, were the instigating cause of the duel. Though this encounter must have interfered with Du Perron's studies, it certainly did not bring them to a close, as Sir Erskine Perry states, nor did it immediately lead to his departure from Surat, for he staid there for about eighteen months longer. It was subsequent to the encounter that he contrived to be admitted in disguise to the Parsi temple at Surat, and to witness the religious ceremonies there, pp. 358-59.

This was in June, 1760. He gives a graphic account, pp. 358, etc., of his visit, and tells how it led to his getting hold of some Zend MSS. According to him, no stranger had ever entered a *Derimher* before, except the Emperor Akbar, and the latter, instead of making offerings to the sacred Fire, had sullied it by his saliva. I suppose this refers to Akbar's having smoked the *huqqa*, for Anquetil tells us that his Parsi ins-

structor, Darab, had come to look upon him (Du Perron) as almost a proselyte, and had several times tried to persuade him to give up the *hugqa*, observing that whatever went out of the body, breath, saliva, etc., sullied Fire. But if Mahomedan chroniclers are to be believed, Akbar never took to smoking. In November, 1760, Du Perron went off in a *paiki* to explore Salsette and Elephanta. He visited several Parsi settlements on the route, eventually arriving at Bassein, where he took boat for the island of Salsette. His object was to examine the Cave-temples of Keneri, of which he has given a detailed account. At that time the island was in the hands of the Mahrattas, and he tells us, p. 427, that he visited the Mahratta Governor, and was very well received by him. It is remarked in the *Imperial Gazette* that Salsette will ever be associated with the name of Victor Jacquemont, as it formed the scene of his last labours. But it has other memories also, for, not to speak of Anquetil Du Perron, Salsette was the place where Akbar's Missionary, Rudolf Aquaviva, and his companions were martyred, in 1583. From Salsette Du Perron went by boat to Elephanta, of which he has also given a description, and then, returning, visited Tanna, where he had an amusing experience. The day after his arrival was the 8th December, the day of the festival of the Conception of the Virgin, and a great day in the church of Tanna. The Christians were already assembled from all parts of the island, and nothing would satisfy the Curé but making Anquetil chaunt the creed at High Mass. It was in vain that he protested his want of skill. "The proposition, he says, seemed to me strange. In my travels I had several times been taken for a Doctor, and I had got over such difficulties by never waiting to see the result of my prescriptions, but I was not aware that a Frenchman was bound to be a musician. It was in vain for me to urge my incapacity; my excuses were taken for excessive modesty, and I had to chaunt in spite of myself. The evening was spent in rehearsing with the Curé's two assistants. The sight next day rewarded me for the fatigues of the evening. I went to the Church at 9 o'clock. I found it full of thousands of Christians, all black, and smelling very strong. The nave was adorned with boughs, formed into arches, and with pillars and balustrades of coloured paper in silver and gold. I was the only white man among this crowd of blacks, and I chaunted the creed *en faux-bourdon* (plain-song?) with four instruments, which accompanied me, or which I followed, *tant bien que mal*."

On his way back to Surat, he stopped at the town of Nosāri, one of the oldest and largest settlements of the Parsis. He thought now of visiting Benares, and even China, but his health

broke down, and the positions of the French went from bad to worse. The affair of M. Biquant also pressed upon him, and finally obliged him to seek again the protection of the English, and to ask for a passage to England. He left India on an English ship, in May, 1761, and after a disagreeable passage arrived in England on 17th November, 1761. On the way they touched at St. Helena, and he saw there Maskelyne,* the astronomer and brother-in-law of Clive. On landing, he was treated as a prisoner of war, and sent to Wickham, a village in Hampshire, and, according to Du Perron, twelve miles distant from Portsmouth. It is famous as being the birthplace of William of Wykeham, and also as the place where Johnson's friend, Joseph Warton, died. I cannot find that there ever was any prison here. Perhaps Du Perron means Porchester Castle, where some 4,000 or 5,000 prisoners of war were detained at about this time. Or it may be that, owing to want of accommodation at Porchester, some prisoners were quartered at Wickham. They were not shut up, but on their parole, and allowed to walk within a radius of two miles. Du Perron visited in the neighbourhood a Mr. Garnier, of whom he speaks very highly, and a descendant of whom apparently—Mr. J. Carpenter Garnier—seems to reside at the family house of Rooksbury Park. In January 1762 Du Perron visited Oxford, and he has recorded some observations about Dr. Hunt and others there, which probably stirred up the youthful Sir William Jones to write his fierce letter to Du Perron. On 14th March Du Perron arrived in Paris, and next day deposited his MSS. in the Royal Library.

This was, perhaps, the most valuable result of his voyages and adventures. He had, he says, page 429, over one hundred and eighty MSS., including two copies of Zoroaster's works, seven dictionaries of modern Persian, and the three most famous Sanscrit dictionaries. By bringing home these MSS. he performed a service to oriental literature equal to that afterwards executed by Brian Hodson. His Zend MSS. have been the foundation of the labours of Burnouf and Darmesteter, &c. He also, he tells us, brought home many botanical specimens, which he sent to Jussieu.

In 1771, or some years after his return, he published three quarto volumes containing his personal Narrative, a life of Zoroaster, and a translation of the Zend Avesta. This translation is now, I believe, obsolete, and the most valuable parts of the book at the present day are the personal Narrative, and the account of Parsi ceremonies. It appears that he published

* The satirical account which he gives of Maskelyne's behaviour at table is a thing which, even if true, gentlemanly feeling should have prevented Du Perron, as one of his hosts, from describing.

an 'abridged account of his travels in the *Journal des Savans* in 1762, the year of his return to France.

It has been said by M. Darmesteter that Anquetil spent nine years in studying his materials. If this were so, he followed the Horatian maxim, and cannot be charged with precipitation. But it would seem that the delay was more due to difficulties of printing than to the labour of preparation. He himself says nothing about spending nine to ten years in preparation. On the contrary, he speaks in his preface of having finished his translation at Surat in 1760, and he says the same thing in his *Discours Preliminaire*, where, at p. 354, he says that he had finished his translation in September 1760. Indeed, he was hardly in a position to better his work, for he no longer had his Parsi instructor.

When Du Perron returned to Paris, he was still a young man—barely over thirty—, and he had the great pleasure of finding his father still alive. He lived for many years afterwards, passing through all the horrors of the Revolution, and not dying till 18th January, 1805. But the eventfulness of his life was over, though he must always have been a picturesque figure in the streets of Paris. He read papers at the Academy, published his translation of the Zend Avesta, assisted in the publication of Tiefenthaler's *India* and translated the *Upnishads* into Latin from the Persian of Dara Shikoh, &c.

The publication of the Zend Avesta led to a violent dispute. English scholars refused to believe in its genuineness, and Sir William Jones, then a young man, wrote a smart letter in French, in which he held up Du Perron to ridicule. There is little argument in this letter, which deals merely with Du Perron's personal narrative. Du Perron's vanity, his allusions to the lilies and roses of his complexion, his gibes at the Oxford professors, etc., are dilated upon, but there is little attempt to discuss seriously the authenticity of the Zend books. Jones was, in these days at least, pre-eminently a man of literature, and one who, not unjustly, refused the name of learning to a mere knowledge of languages. The latter was only a means to an end, and a man who, like Browning's Grammarian, did not get beyond verbal questions, was regarded by him with ridicule. The sciences of Comparative Philology and Comparative Mythology were then unknown, and Jones' view was that Du Perron's work was a galimatias—idle gibberish, unworthy the attention of a man of sense. Either Zoroaster never wrote it, or, if he did, it was a farrago of nonsense. I should think that it was afterwards a sort of judgment upon Jones that he had to translate a good deal of similar nonsense and petty ceremonialism in the *Institutes of Manu*. No doubt Du Perron laid himself open to attack. His bad qualities, as well as his good

ones, came out in his Rousseau-like narrative, and, not content with writing himself down an ass, he claimed that his fellow-men were also fools.

I am not aware whether Du Perron ever knew * who was his assailant. If he did, he does not seem to have taken any unworthy revenge, for he exults in the establishment of the Asiatic Society of Bengal, of which Sir William Jones was the founder, and he does not deny merit to Jones, though there is a touch of sarcasm in his description of him, as a learned man who wrote fluently about many things. I think he must have felt that the attack was not wholly undeserved. He had disregarded the conventionalities and had thrown ridicule on a nation and on individuals who had rendered him, as he himself admits, material assistance, and had shielded him from his own countrymen. He may even have felt a kind of sympathy with Jones, for, after all, it was a quarrel between two Celts.†

But though Jones' attack was not unprovoked, and gratitude to his University ‡ and friendship for Dr. Hunt, the Laudian Professor of Arabic, may have stirred him up, yet I fear that there was a more ignoble cause for the scepticism of English scholars. They must have felt sore at having been surpassed by a young and petulant Frenchman. They had had the Zend books in their possession before Du Perron was born, but they let them lie unheeded, just as they did at a later period the MSS. sent by Brian Hodson. It was a most unpleasant surprise to find a beggarly Frenchman coming in for all the honour and glory of the discovery. It was in part at least similar feelings which led us in after years to discredit Stanislaus Julien's translations from the Chinese, to refuse to believe in the possibility of the Suez Canal, and to scout the discoveries of the grocer's boy—Schliemann, in the plain of Troy.

Du Perron wrote several works about India, and in these he did not spare the English.§ They are not pleasant

* Probably he at least suspected the authorship, for Jones told Lord Teignmouth (Works I. 336, ed. of 1807) that Du Perron studiously avoided meeting him while he was residing in Paris. Jones did more justice to Du Perron in an address to the Asiatic Society in 1789, where he said that Du Perron had the merit of undertaking a voyage to India in his earliest youth in order to recover the writings of Zoroaster, and that he would have acquired a brilliant reputation in France, but for his immoderate vanity, and virulent temper.

† Apparently Jones was a Celt only on his father's side.

‡ In the letter to Reviezki, quoted by Sir Erskine Perry of December 1771, he speaks of Du Perron as "*pulchellus, nescio quem, terrae filius qui Academiae nostrae conviciari ausus est.*"

§ He is at the same time full of admiration for Warren Hastings, paying him what is, in his eyes, the high compliment of comparing him to Dupleix. Hastings' greatness, he says, is his own. What is unjust and inhuman in his proceedings, is due to the genius of the British administration.

reading, and are more or less unjust; but great allowance is always to be made for a Frenchman writing about India. They may not do well to be angry, but it would be contrary to human nature for them not to be bitter. India is a sad chapter in their annals, just as America is in ours, and it is not, as in the latter case, sweetened by the thought that the victors were of their own race.

It is impossible, too, not to feel pity for Du Perron in his lonely and poverty-stricken old age. He seems to have had little sympathy with the Revolution. His heart was with the East, and he shut himself up among his books. There is an extraordinary passage in the beginning of the 2nd volume of the *Oupnekat* (*Upanishads*), where he addresses the sages of India. The *Biographie Universelle* is so unkind as to put it in French, in which dress it looks doubly strange. It really is in Latin, and begins with an

ANQUETIL DU PERRON

INDIOE SAPIENTIBUS

Salutem Dat.

He then proceeds to tell them that his life is as abstemious as theirs, that his daily food and dinner is but bread and cheese and well-water, costing only four sous, or the 12th part of a rupee. This rupee, it should be remembered, would be not the Company's rupee, but the old Sikka.* Anquetil states, p. i. 503, that this rupee was valued in the French Factories at 48 sous (quarante-huit *sols*) or half-pennies, *i.e.*, 2s. Thus his daily food cost him about two pence, or between five and six pice.

Continuing, he tells the Brahmans that he has no fire or water and no quilt on his bed, and then adds a particular which sounds rather shocking even in Latin, and which, I observe, that his elder brother omits and prudently marks with asterisks, when writing his notice of Anquetil:

• *Nulla corporis lintei lotio vel mutatio.*

No washing or changing of my body linen. I hope this means merely that he had no linen. But anyhow it is a queer statement to make, and a queer recommendation of himself to Brahmans who, he must have known, were most particular about bodily cleanliness. But I suppose he meant to describe himself as a Faqir, or Sanyassi.

For the gratification of the curious, I have given the passage in its original dress.

* He mentions I. 504 that at Surat dried almonds from Basra were used for the same purpose as cowries in Bengal. In 1760 2,400 such almonds were equal to a rupee.

Haec autem ab homine, quasi contribuli vestro scripta, haud dedignamini; Viri Sapientes, quis sit meus vivendi modus audite, quaeso. Cibi quotidiani, e pane, paululo lacte aut caseo, et puteali aquâ solum constantis, impensa, quatuor Gallicarum assium est, seu Indicae roupie 12ae partis; ignis hieme, supra lecto culcitae, lintei usus incognitus, nulla corporis lintei lotio, mutatio, sine ullo reddito, ullâ attributione, ullo munere, pro aetate et ante acto labore satis valens, litterariis operibus victum quaero; uxoris, nati, famuli, omnium hujus mundi bonorum, vinculorum expertus et immunis, solus, absolute liber, etsi omnium hominum, imprimis proborum amantissimus, in hoc statu durum cum sensibus bellum gerens, mundi spretis si non omnino victis illecebris et invitamentis, alacri animo ad Ens supremum, perfectum, assiduo nisu anhelans, corporis solutionem, a meta non longe distans, tranquillâ mente opperior.

Vestrum sanè, quamvis fide, religionè divisum, saltem morali et philosophico habitu plene similem libenter agnoscetis; et eâ fiducia intimam vobis mentem aperio.

It has been well said by Sir Erskine Perry, in his sympathetic and honourable notice, that "a debt of justice is due to Anquetil Du Perron from an English pen. There are few instances in the annals of literature in which greater devotion to the cause of letters has been shown, greater difficulties have been overcome, or greater philobiblical results achieved, than in the case of the translator of the Zendavesta. The discovery and translation of works and tongues unintelligible to Europe, and dating from a remote antiquity, are services of no light significance." And he observes, "nothing can justify the want of courtesy and the unfair criticism displayed by Sir William Jones in his letter," adding in a note the remark of Rask that the letter is "Eine Neidschrift voll gift und gall, und desverfassers Namens durchaus unwürdig." A few days before his death, Du Perron said to his medical attendant that he was bound for a longer voyage than any he had hitherto taken, but that he did not know what port he would arrive at. He died at the age of 75, in the house of his elder brother, who wrote a short notice of him, and he had the honour of a funeral address from the illustrious Silvestre de Sacy.

I have now completed my sketch of the life of Anquetil Du Perron, and it remains to make some general remarks on his character and achievements. I do not think that I can claim for him that he was a great man, or a sound scholar. He was too uncontrolled, and too deficient in patience for these things. But I think I may claim for him the distinction of being an eminently picturesque and interesting personage. He was no bloodless chamber student, buried among his books like Scaliger or Casaubon, nor was he one ever "voyaging

through strange seas of thought, alone." He was a living, active-minded man, alive at every pore and swayed and tossed by his impulses and the *fougue* of youth. In his enthusiasm and single-mindedness, he may well be compared to our great missionaries, Xavier and Henry Martyn. Perhaps the title of Scholar-Missionary is that which suits him best; and in this capacity he showed an intrepidity and a resource which places him, to my thinking, far above the most placid President who ever sat in the *fauteuil* of the most erudite society of Europe. It is easy to throw contempt on the result of his researches, and to ridicule the silly utterances of the world's childhood as revealed in the *Zend*; but, as Du Perron has well said, "L'amour de la vérité ennoblit et fait goûter le travail le plus insipide." When we think of his starting off for the East as a recruit of the French East India Company, and of that wonderful march of his from Behar to Pondicherry, we are reminded of those Chinese pilgrims, who braved countless dangers to visit the Buddhist shrines, and feel disposed to apply to him the description which the first Missionary gives of his labours. "In journeyings often, in perils of robbers, in perils from my countrymen, in perils from the Gentiles, in perils in the city, in perils in the wilderness, in perils in the sea, in perils among false brethren, in labour and travail, in watchings often, in hunger and thirst, in fastings often, in cold and nakedness." No doubt, he had his faults, and some of them big ones. With a great love for his fellow-men in the abstract, he seems not to have been able to live with the small section with which he was in immediate contact. Yet, though we cannot say that even his failings leant to virtue's side, we may recognise the fact that they were to some extent the cause of his achievement. There is a French phrase in frequent use about the defects of one's qualities, and perhaps we might reverse this, and speak of the qualities of one's defects. If Du Perron had not been impatient of restraint, and of a *dour* disposition, he would never have gone to India as he did, or made his pilgrimage from Colgong to Surat. As he himself says, in speaking of his hurried and almost secret departure from Chandernagore: "I left everything at Chandernagore and went off to Cossimbazar, which I reached in four days. This step, taken without the knowledge of the Governor, was blamed; but, if it was the cause of the unhappy catastrophes which embittered part of my stay in India, on the other hand I owe to it my knowledge of the Peninsula, and the acquisition and translation of the works of Zoroaster." He was of an unaccommodating temper, *peu liant* is his own phrase, and at page 55 he gives a revelation of himself while speaking of his rejection at Murshi-

dabad of a fellow-countryman's offer of hospitality, "j'ai toujours plus craint les services que les mauvais offices." No doubt he was too young and impetuous for his spirit always to keep the serene height to which it was capable of ascending. I have sometimes thought it was a pity that his friends saved him from carrying out his purpose of sailing to India as a private soldier. As is well known, an illustrious scholar of our own day, the late Mr. Blochmann, executed this plan and with the happiest results. Du Perron's strong constitution and healthful early training would probably have borne him scatheless, or nearly so, through the hardships and the perils of disreputable companionship, and he might have learnt lessons of discipline and endurance which would have been invaluable to him in after life. He would have given the world a vivid picture of a French soldier's career in India, and might have shared the dangers of his countrymen at Chandernagore and Pondicherry, where his courage and ability could have been of material service to them. As it was, he is obliged to confess that he never was able to repay the French East India Company and their officers for their liberality and kindness to him. His appointments were not excessive, for he never drew more than Rs. 100 a month in India, yet the Company gave him a free passage to India, and supported him there, and it is pleasant to find him expressing his gratitude to the Company and to De Leyrit for doing so much for him, seeing that he had never been of the smallest service to their Factories. His great mistake was, I think, his leaving India so soon, and this was partly the result of his having no official position, or means of gaining his livelihood. But something must be attributed to the inequalities of his temperament, and his want of staying power. If he could have been content with sending his MSS. home, and had carried out his intention of going to Benares and studying Sanskrit there, he might have given the world an adequate translation of the Zendavesta. He had far more brilliancy, but he lacked perhaps the dogged pertinacity and austere composure of that excellent Tyrolese, Father Tiefenthaler,* who came out to India in 1743 and re-

* The mention of Tiefenthaler naturally leads to a reference to one of the great services to India performed by Anquetil Du Perron. He, so to speak, discovered Tiefenthaler, and entered into correspondence with him as far back as 1759. Tiefenthaler's description of India was edited by John Bernouilli, Astronomer Royal to the King of Prussia, in 1786, and dedicated to the King of Sweden. In his preface Bernouilli mentions that he first knew of the existence of Tiefenthaler's book from an article contributed by Du Perron to the *Journal des Savans* in 1776. This led him to enquiries, in the course of which he found that Tiefenthaler's work was at Copenhagen with M. Kratzenstein, Professor of Medicine there, and

mained there till he died, full of years, at Agra. He, too, arrived at Surat, and staid there for some time, and he also, after five and twenty years' residence, found himself in danger of starving, and had recourse to the protection of the English.

Du Perron's Personal Narrative contains many interesting passages and deserves reprinting. To my thinking, his account of India is more graphic than Bernier's, who has perhaps been rather overpraised. Bernier has some very valuable information, and some of his descriptions are lively, but a good deal of his two volumes is rather heavy; and one thinks that, with his opportunities, he should have been able to give us much more. He was afraid, I suppose, of writing a big book.

Du Perron has an amusing account of England and London. He is very severe on the bad condition of the London streets, telling us that, when once he put his head out to direct the hackney coachman, he was so jolted that his head banged several times from side to side of the window. He is very complimentary, I am glad to say, to the English ladies, gallantly observing that he should have liked to stay longer in England to study them in the country. They remain there, he says, for months, all alone, employed in reading, or in some romantic love-affair. Though young and charming, they are also intellectual, and a man can enjoy the pleasure of having a sensible conversation with them. The English men, he adds, are far from resembling them. They are *trop faits*, too complete and finished when they are young, and they lose in London the polish which they have painfully acquired in Paris, while on their estates they grow so boorish as to become quite unrecognizable.

H. BEVERIDGE.

who had received it from M. P. J. Flóhr, Surgeon to the Danish Factory at Patna (?), who had been much associated with Tiefenthaler. Unfortunately two other works by Tiefenthaler seem to have been altogether lost. Perhaps, however, they may yet be discovered and published. Du Perron contributed some valuable dissertations and notes to Bernouilli's edition, and also sent him Tiefenthaler's maps, which had been received by him in 1776. At Vol. II, p. 419, there is an interesting letter from Tiefenthaler to Du Perron, dated 17th May 1759, in which he mentions that he was born at Bolzano in the Tyrol, and describes his studies. In 1776 he was at Fyzabad. I recollect to have seen a reference to Tiefenthaler in one of Colonel Wilford's papers, in which he speaks of him as a truthful man and of austere disposition.

ART. VI.—RELIGION AND MORALITY.
[THE CONTRADICTIONS OF EMPIRICAL MORALITY]

BY

COUNT LEO TOLSTOI.

TRANSLATED BY CHARLES JOHNSTON.

(*Independent Section.*)

I.

YOU have asked me what I understand by the word religion ; and whether I consider morality, independent of religion as I understand it, possible. I shall try to the best of my ability to answer these supremely important and admirably formulated questions as well as possible.

Among the great majority of the cultured class to-day, it is considered as proved that the basis of every religion is a personification and deification of the mysterious forces of nature, arising out of a superstitious terror of these forces of nature, and a bowing down before them.

This opinion is accepted without criticism, on faith, by the cultured classes of our time, and not only meets with no opposition from men of science, but even, for the most part, finds amongst them its strongest supporters. If at rare intervals voices, like Max Müller's and others, are raised in opposition, voices attributing to religion another origin and purpose, these voices are neither heard nor heeded in the general and unanimous recognition of religion as an outgrowth of superstition. Not long ago, in the beginning of the present century, the foremost men of the time, even if they denied Catholicism and Protestantism, as the Encyclopedists did, at the end of the last century, still none of them denied that religion in general was and is an indispensable condition of life for everyone. Not to mention the Deists, like Bernardin de St. Pierre, Diderot and Rousseau, Voltaire built a monument to God, and Robespierre appointed a festival to the highest Being. But in our times, thanks to the light-minded and superficial teaching of Auguste Comte, who, like most Frenchmen, sincerely believed that Christianity is nothing but Catholicism, and hence saw in Catholicism a full realisation of Christianity, it has been decided and accepted by the cultured class, always ready and willing to accept the very lowest propositions, it has been decided and recognised that religion is only a well-known and long-exhausted phase of human development. It is recognised that humanity has already lived through two periods—

the religious and the metaphysical, and has now entered the third and highest, the scientific, and that all manifestations of religion among men are only a survival of a once necessary spiritual organ of humanity, which has long ago lost its purpose and meaning, like the nail on the horse's fifth toe. It is recognised that the reality in religion consists in the terror called forth by the mysterious forces of nature, the recognition of imagined beings, and a bowing down before them, as Democritus thought in antiquity, and as the newest philosophers and historians of religion affirm.

But, not to mention that a recognition of supernatural beings, or being, did not and does not always arise from terror of the mysterious forces of nature, as is proven by hundreds of the very foremost and most highly educated men of the past, the Socrates, the Descartes, the Newtons, and like men of our own time, who recognised the highest supernatural Being in no wise from terror of the mysterious forces of nature, the affirmation that religion grew out of men's superstitious terror of the mysterious forces of nature in reality gives no answer to the main question, whence arose the representation of invisible, supernatural beings in men's minds?

If men had feared thunder and lightning, then they would have feared thunder and lightning; but why should they have invented an invisible supernatural being, a Jupiter, who dwells somewhere and sometimes hurls thunderbolts amongst the people?

If men had been awe-struck at the sight of death, then they would have feared death; but why did they "invent" the souls of the dead, with whom they began to enter into imagined relations? People might have hidden, from fear of thunder, they might have fled from death, through horror of death, but they invented an eternal and powerful being whom they feel dependent on, and living souls of the dead, not from fear only, but from some other reasons. And in these reasons, clearly, consists the reality of what is called religion. And, besides this, everyone who, if only in childhood, has experienced religious feeling, knows from his own experience that this feeling was always called up in him, not by terrible outward material appearances, but by an inward recognition of his own insignificance, loneliness, sinfulness, which had nothing in common with dread of mysterious forces of nature. Hence anyone may discover, both by external observations and by personal experience, that religion is not a bowing down before gods called forth by a superstitious dread of the mysterious forces of nature, rightly belonging to men only at a certain period of their development, but something entirely independent of dread, and of the stage of men's culture, some-

thing that cannot be done away with by any development of enlightenment, since man's recognition of his limitation in the midst of a limitless universe, and of his sinfulness—his not having fulfilled all that he might have and ought to have done, but has not done—, always existed and always will exist while man remains man.

In truth every man, as soon as he grows out of the animal condition of infancy and early childhood, during which he lives guided only by the demands made on him by his animal nature, every man wakening to reasoning consciousness cannot but remark that all around him lives, renewing, undying, and incessantly obeying one clear eternal law ; and that he alone, recognising himself as separate from the whole living world, is destined to death, to vanish in limitless space and endless time, and to a torturing consciousness of responsibility for his faults—to a consciousness that, acting ill, he might have acted better. And, understanding this, every reasonable being cannot but fall athinking, and asking himself :—to what end is his momentary, indefinite, and wavering existence in the midst of this eternal, strongly defined, and endless world ? On entering real human life, a man cannot pass this question by.

This question stands perpetually before every man, and every man must give it one or another answer. And it is exactly the answer to this question that makes the reality of every religion. The reality of every religion consists solely in the answer to the question,—to what end do I live, and what is my relation to the endless world surrounding me ?—For all the metaphysics of religion, all teaching about deities, about the origin of the world, are only signs accompanying religion, and differing according to geographical, ethnographical, and historical conditions. There is no religion, from the loftiest to the coarsest, that had not as its foundation this fixing of the relation of man to the world that surrounds him, or to its first cause. There is no religious rite, however coarse, and no cult, however refined, which has not this same foundation. Every religious teaching is the expression, by the founder of the religion, of the relation in which he recognises himself, as a man, and, in consequence of this, all other men, as standing towards the universe, or towards its source and first cause.

Expressions of these relations are manifold, according to the ethnographical and historical conditions in which the founder of the religion and the people that accepts it find themselves ; and moreover these expressions are interpreted differently and disfigured by the followers of the teacher, generally hundreds and sometimes thousands of years, in advance of the understanding of the masses ; hence of expressions of man's relation to the world—of religions—there are seemingly very many ;

but, in reality, of fundamental relations of man to the universe, or to its source, there are only three : the primitive personal ; the pagan social ; and the Christian, or divine.

Speaking strictly, of fundamental relations of man to the universe, there are only two : the personal, consisting in a recognition of the purpose of life in the well-being of the personality, taken separately, or in union with other personalities ; and the Christian, that recognises the purpose of life as a service of the Power that sent man into the world. For the second relation of man to the universe—the social—is in reality only an extension of the first.

The first of these relations, the oldest of all, now met with among people standing on the very lowest step of development, consists in this, that man recognises himself as a self-sufficing being, living in the world to obtain the greatest possible amount of personal well-being in it, independently of how much the well-being of other beings may suffer thereby.

This first relation to the universe, in which every child finds itself on entering life ; in which humanity lived in the first, the pagan, stage of development, and in which many separate individuals of coarse moral fibre, and savage peoples, still live,—is the source from which all ancient pagan religions spring, as well as the lower forms of later religions in their corrupted form ; as Buddhism, Tao-ism, Mahomedanism, and others. Buddhism, although demanding from its followers a renunciation of the good things of the world, and even of life itself, is founded on this same basis of the self-sufficing personality destined to well-being, and its relation to the world around it, only with the difference that pure paganism recognises the right of man to enjoyment, while Buddhism recognises his right to the absence of suffering. Paganism holds that the world must afford enjoyment to the personality ; Buddhism holds that the world must disappear, since it causes the suffering of the personality. Buddhism is thus only negative paganism. From the same relation to the universe, the newest spiritism, which has as its basis the preservation and continued well-being of the personality, also takes its rise. All pagan cults are deifications of beings who follow personal enjoyment exactly as men do ; all offerings and prayers for the gifts of earthly well-being spring from this same relation to the universe.

The second pagan statement of man's relation to the universe, the social, which raises them to the next stage of culture, the relation which is the peculiar property of those who have reached manhood, consists in this, that the meaning of life is recognised, not in the well-being of a single, separate personality, but in the well-being of a certain group of personalities, a family, a tribe, a nation, even the whole of humanity, as in the attempted religion of the Positivists.

The purpose of life, in this relation of man to the universe, is transferred from the personality to the family, tribe, or nation, to a certain group of personalities, whose well-being is thus recognised as the aim of existence. From this relation spring all the patriarchal and social religions of the same character, the religions of China and Japan, the religion of the Chosen People—the Hebrews—the imperial religion of the Romans, and the proposed religion of Humanity, of the Positivists. All forms of ancestor worship, in China and Japan, the worship of the Emperor in Rome, are built on this relation of man to the universe.

The third relation of man to the universe, the Christian, that in which every old man involuntarily feels himself, and which, in my opinion, humanity is now entering, consists in this, that the meaning of life is recognised by man, no longer in the satisfaction of his personality or the satisfaction of a certain group of people, but only in service of the will which produced him and the whole world, not for their own purposes, but for the purposes of this Will. From this relation to the universe arose the highest religious teaching we are acquainted with, the beginnings of which already existed among the Pythagoreans, the Therapeuts, the Essenes, the Egyptians, the Persians, the Brahmans, the Buddhists, and the Tavists, in their higher representatives, but which has received its fullest and highest expression only in Christianity, in its true, uncorrupted meaning.

All possible religions whatsoever inevitably fall under one of these three relations of man to the universe. Every man who has risen above mere animalism, inevitably recognized one of these three relations, and in this recognition consists the true religion of every man, quite regardless of the confession to which he professes a nominal adherence.

Every man must infallibly represent the relation of the universe to himself in some way or other, because a reasoning being cannot live in the universe that surrounds him, without having some relation or other to it. And since of such relations to the universe, worked out by humanity, and known to us, there are three only, every man inevitably accepts one of the three existing relations, and, whether he will or no, belongs to one of the three fundamental religions among which the whole of humanity is divided.

And therefore the widely extended conviction of people of the cultured class in Christendom, that they have raised themselves to such a height of development that they no longer need any religion at all, and have no religion, in reality arises from the fact that these people, not recognising the Christian religion, the only religion which is proper to our time, really

retain a lower religion, either the social, or the primitive pagan religion, without knowing it themselves. A man without a religion, that is, a man without a relation to the universe, is as impossible as a man without a heart. He may not know that he has a religion, just as he may not know that he has a heart, but, just as he cannot live without a heart, so he cannot live without a religion. Religion is the relation in which a man recognises himself towards the limitless universe that surrounds him, or towards its source and first cause; and a reasonable being cannot but find himself in some relation to the universe.

But you will say, perhaps, that the ascertaining of man's relation to the universe is the business not of religion, but of philosophy, or of science in general, if philosophy be regarded as a part of science. I do not think so. I think, on the contrary, that the proposition that science in general, including philosophy as a part of science, can ascertain the relation of man to the universe, is completely false, and serves as the chief reason of the confused understanding of religion, science, and morality which exists in the cultivated classes of our society.

Science, including philosophy, cannot ascertain man's relation to the limitless universe, or to its source, for one sufficient reason, that, before any philosophy or science could arise at all, there must have existed already one or other relation of man to the universe, since, without this, no activity of thought is possible.

Just as a man cannot find the direction in which he ought to move—and every movement inevitably takes place in some direction—by means of any movement whatsoever; in exactly the same way it is impossible, by means of the intellectual work of philosophy or science, to find the direction in which this work ought to be done: every activity of the intellect inevitably takes place in some already given direction. And the direction for every intellectual activity is always pointed out by religion. All philosophies known to us, from Plato to Schopenhauer, inevitably followed the direction given to them by religion. The philosophy of Plato and his successors was a philosophy of paganism, investigating the means of obtaining the greatest possible well-being for the single personality, as well as for groups of personalities, in kingdoms. The philosophy of the Middle Ages, which springs up from the same pagan understanding of life, investigated the means of salvation for the personality, that is, the obtaining of the greatest possible well-being for the personality in a future life, and only in its theocratic essays treated of the construction of society.

Recent philosophy, whether Hegel's or Comte's, has as its basis the Social-religious understanding of life. The pessimistic philosophies of Schopenhauer and Von Hartmann, wishing to free themselves from the Hebrew religious world-concept, involuntarily took the religious foundation of Buddhism. Philosophy always was and always will be simply an investigation of what follows from the relation of man to the universe, ascertained by religion, since, until this relation is established, the material for philosophic investigation does not exist.

In exactly the same way, positive science, in the strict sense of the word, always was and will be nothing more than the investigation and study of all subjects and manifestations subject to examination, in accordance with a given relation of man to the universe established by religion.

Science always was and will be, not the study of "everything," as men of science now naively believe, for this is impossible, since the number of subjects presented for investigation is endless, but only the study of what religion designates, in due order, and according to importance, from the whole endless number of subjects, manifestations, and conditions that are open to investigation. Hence there is not one Science, but as many sciences as there are degrees of the development of religion. Every religion selects a certain circle of the subjects offered for study, and hence the science of each separate period and people infallibly wears the character of the religion from the point of view of which it regards these subjects.

Thus pagan science, established during the period of the Renaissance, and flourishing in our society at the present day, always was and continues to be solely the investigation of all those conditions through which man gains the highest possible degree of well-being, and all those manifestations of the world which can provide it for him. The philosophical science of the Brahmans and Buddhists was always the investigation of the conditions in which man is freed from the sufferings that oppress him. Hebrew Science—the Talmud—was always solely the study and elucidation of the conditions which must be observed by a man in order to fulfil his covenant with God, and to preserve the chosen people at the height of its election. The truly Christian science, which is only beginning to be born, is the investigation of the conditions under which man may recognise the demands of the higher Will which sent him, and apply them to life.

Neither philosophy nor science can establish man's relation to the universe, because this relation must be already established before any philosophy or science can begin to exist. They

cannot do this for yet another reason, that science, including philosophy, investigates manifestations by the intellect, and independently of the position of the investigator and the feelings which he experiences. But man's relation to the universe is defined, not by intellect only, but by feeling, by the entire collectivity of man's spiritual forces. However much it is suggested and explained to a man that all that really exists is only ideas, that everything is made up of atoms, or that the reality in life is substance or will, or that heat, light, motion, and electricity are different manifestations of one and the same energy, all this will not make his place in the world clear to man—the feeling, suffering, rejoicing, fearing and hoping being. His place in the world, and therefore his relation to it, only religion shows him, saying to him : the world exists for you, therefore take from life all you can take from it ; or, you are a member of God's beloved people, and will receive, along with your nation, the greatest amount of well-being attainable by you ; or you are an instrument of the highest Will, that sent you into the world to fulfil a work already appointed for you ; recognise this Will and fulfil it, and you will do the best you can for yourself.

To understand given philosophies and science, preparation and study are necessary, but for religious understanding they are not necessary: it is given to every one, even to the narrowest and most ignorant.

In order to understand his relation to the universe that surrounds him, or to its source, a man needs neither philosophical nor scientific knowledge,—extensive knowledge encumbering consciousness, often even hinders it ; the only things necessary are renunciation, even, if temporary, of the vanity of the world, a sense of his own material nothingness, and a truthfulness, met with oftener, as is said in the Gospel, in children and the simplest unlearned people. For, this reason we see that very often the simplest, unlearned and uneducated people accept with perfect lucidity, consciously, and easily, the highest Christian understanding of life, while the most learned and cultured people continue to linger in the coarsest paganism. Thus, for example, we find the most refined and highly educated people believing that personal enjoyment is the purpose of life, or at any rate the freeing oneself from suffering, as the very wise and very learned Schopenhauer believed, while a half-educated Russian peasant-sectary, without the slightest effort of thought, recognises the purpose of life as what the greatest sages of the world, men like Epictetus, Marcus Aurelius, Seneca, believed it to be, the recognition of oneself as an instrument of the divine Will, a son of God.

But you will ask me: wherein consists the nature of this

neither scientific nor philosophical capacity of knowledge? If this knowledge is neither philosophic nor scientific, then what is it? How is it characterised? To these questions I can only answer that, since religious knowledge is that on which all other knowledge is founded, and which precedes all other knowledge, we cannot define it, having no organ of definition for it. In theological language, this knowledge is called revelation. And this name, so long as a false meaning is not given to the word revelation, is perfectly right, because this knowledge is obtained neither by study, nor by the efforts of an individual man or men, but only by the reception by an individual man or men of a manifestation of the eternal reason, which gradually reveals itself to mankind.

Why could people ten thousand years ago not understand that the purpose of their life was not exhausted by the well-being of their personalities, and then later came a time when higher understandings of life—family, social, national, imperial,—were revealed to them? Why, within our historic period, was the Christian understanding of life revealed? And why was it revealed precisely to such a man, or to such men, and precisely at such a time, in one and not another place, in one and not another form? To try to answer these questions, seeking a reason in the historic conditions of the time, the life and character of those people, who first accepted this understanding of life and gave it expression, in the special characteristics of those people, is just the same as to try to answer the question why the rising sun illumined first those and not other objects. The sun of truth, rising higher over the world, lightens it more and more, and sheds its light on those objects which first fall under the sun's illuminating rays, and are most capable of reflecting them. The conditions that make some people more capable than others of receiving the rising truth, are not any specially active qualities of mind, but passive qualities of the heart, that rarely co-exist with great and curious intellect—a renunciation of the vanities of the world, a consciousness of their own material insignificance, and truthfulness, as we see in all the founders of religions, who were never distinguished by philosophical and scientific knowledge.

In my opinion, the chief error that, more than all else, hinders the true progress of our Christian humanity, consists precisely in this, that the men of science of our time, who have seated themselves in the seat of Moses, guided by the pagan understanding of the world that was restored at the time of the Renaissance, have decided that Christianity is a condition that men have already lived through, and that, on the contrary, the pagan, social, ancient, and, in reality, outlived

understanding of life, is the one which humanity should inflexibly hold to. Therefore, not only do they not understand true Christianity, which has given us the higher understanding of life, towards which all humanity is moving, but they do not even try to understand it. The chief source of this error lies in the fact that men of science, breaking with Christianity and seeing that it does not correspond with their science, have laid the blame, not on their science, but on Christianity; that is, they have imagined, not the real fact, that their science is eighteen hundred years behind Christianity, which has already taken hold of a great part of contemporary society,—but, on the contrary, that Christianity has fallen. From this exchange of rôles, arises the startling fact that there is no one with a more confused understanding of the real meaning of religion, of morality, of life, than the man of science; and the still more startling fact that the science of our times, while achieving really great successes in its province of investigating the conditions of the material world, shows itself good for nothing, and sometimes even pregnant with harmful consequences, in human life.

And, therefore, I think that by no means science or philosophy, but only religion, can establish man's relation to the universe.

L. TOLSTOI.

• *January 1895.*

II.

And so, to your first question, what do I understand by the word Religion? I answer: Religion is the establishing by man of a certain relation between himself and the eternal and endless universe, or its source and first cause.

From this answer to the first question, the answer to the second question follows of itself. If religion is the establishing of man's relation to the universe, defining the purpose of his life, then morality is the indication and elucidation of that activity of man which, of itself, follows from one or another relation of man to the universe. And since, of fundamental relations of man to the universe or to its source, only two are known to us, if we regard the pagan social relation as an extension of the personal, or three, if we consider the pagan social relation as distinct, then of forms of moral teaching there can similarly be only three—the primitive, savage, personal moral teaching, the pagan or social moral teaching, and the Christian moral teaching, that is, the service of Deity or the divine.

From the first relation of man to the universe spring the teachings of morality common to all pagan religions, having as

their basis the personality's striving toward well-being, and in consequence defining all conditions that give the greatest amount of well-being, and indicating the means of securing this well-being. From this relation to the universe spring moral teachings like the Epicurean, in its lowest form, the Mahomedan moral teaching, promising coarse well-being to the personality in this and the other worlds, and the teaching of worldly, utilitarian morality, which has as its aim the well-being of the personality in this world alone.

From this teaching also, which considers the aim of life to be the well-being of the separate personality, and hence the freeing of the personality from suffering, spring the moral teachings of Buddhism in its coarse forms, and the worldly teaching of Pessimism.

From the second pagan relation of man to the universe, which considers the aim of life as the well-being of a certain group of personalities, spring the moral teachings which demand from the individual the services of that group whose well-being is recognised as the aim of life. According to this teaching, the enjoyment of personal well-being is permitted only to the measure in which it is attained by the whole community which forms the religious basis of life. From this relation spring the forms of moral teaching known to us in the old Roman and Greek world, where the personality always sacrificed itself for the society, and also the morality of China; from the same relation springs the morality of the Hebrews, the subordination of the individual's well-being to the well-being of the chosen people, and the morality of our own time, which demands the sacrifice of the personality in the interest of the well-being of the majority. From this same relation to the universe springs the morality of the majority of women, sacrificing their personalities entirely for the well-being of the family, and, more than all, of the children.

All ancient history, and mediæval and modern history in part, are full of the miracles of this family and social morality. And at the present time, the great majority of people, only fancying that, in confessing Christianity, they follow Christian morality, in reality follow only pagan morality, and set up this morality as the ideal for the education of the young generation.

From the third, the Christian relation of man to the universe which consists in the recognition of himself by man as an instrument of the Supreme will for the fulfilling of its aims, flow the moral teachings corresponding to this understanding of life, elucidating the dependence of man on the Supreme will, and defining the requirements of that will. From this relation of man to the universe spring all the highest moral teachings

known to humanity, the Pythagorean, the Stoic, the Buddhist, the Brahman, the Tavist, in their highest manifestations, and the Christian, in its real sense, demanding the renunciation of personal will, and of the well-being, not only of the personality, but of the family and society also, in the name of the fulfilling of the will, revealed to us in our consciousness; of the power that sent us into the world. From the first, second, or third relation to the limitless universe or its source, springs the real, unassumed morality of every individual, without regard at all to what he confesses or professes nominally, as morality, or what he wishes to appear.

Hence anyone who recognises the reality of his relation to the universe, as the gaining for himself of the greatest possible well-being, however much he may say that he considers it moral to live for his family, society or nation, or for humanity, or for the fulfilling of the divine will, may artfully pretend before men, deceiving them, but the real motive of his activity will always be only the well-being of his personality, so that, when a choice becomes inevitable, he will sacrifice not his personality to the family, the nation, the fulfilling of the divine will, but everything to himself, because, seeing the purpose of his life only in the well-being of his personality, he cannot act otherwise until he changes his relation to the universe.

In just the same way, whatever may be said by any one whose relation to the world consists in service of the family—as is for the most part the case with women—or race, or nation—as is the case with members of an oppressed people, or political actors in times of struggle, however much he may say he is a Christian, his morality will always be social and national, and not Christian; and when a choice becomes inevitable between the well-being of the family or society, and the well-being of his personality, or the well-being of the society, and the fulfilling of the will of God, he will inevitably choose the service of the well-being of that group of people for which, according to his view of the universe, he exists, because in this service alone he sees the purpose of his life. And exactly in the same way, however much it may be suggested to one who recognises his relation to the world in the fulfilling of the will of the Power that sent him, that, in accordance with the demands of personality, family, race, or humanity, he must perform actions contrary to the supreme will recognised by him in the qualities of reason and love dwelling in him, he will always sacrifice all his human relations in order to fulfil the will of the Power that sent him into the world, because he sees the purpose of his life only in the fulfilment of this will.

Morality cannot be independent of religion, because it is not only a consequence of religion—that is, of the relation in which a man recognises himself towards the universe—but is already included, implied, in religion. Every religion is an answer to the question, what is the purpose of my life? And the religious answer already includes in itself a certain moral demand, which may sometimes arise after an elucidation of the purpose of life, sometimes before it. To the question of the purpose of life, this answer may be given: the purpose of life is the well-being of the personality, wherefore lay hold of all the well-being you can; or the purpose of life is the well-being of a group of people, wherefore serve this group of people with all your force; or the purpose of life is the fulfilling of the will of the Power that sent you, wherefore with all your forces strive to recognise this will and fulfil it. Or this question may be answered thus: the purpose of your life is your personal enjoyment, since this is the meaning of mankind; or the purpose of your life is the service of the group of which you consider yourself a member, since this is the meaning of your being; or, the purpose of your life is the service of God, since this is the meaning of your being.

Morality is included in the explanation of life given by religion, and therefore can in no wise be independent of religion. This truth is especially evident from the attempts of non-Christian philosophers to derive the teaching of the highest morality from their philosophy. These philosophers see that Christian morality is indispensable, that life is impossible without it; more than this, they see what this morality is, and desire in some way to connect it with their non-Christian philosophy, and to put the matter in such a light that Christian morality shall seem to flow from their pagan or social philosophy. And this they attempt to do, but exactly these attempts, more evidently than anything else, show not only the independence, but even the complete contradiction between Christian morality and pagan philosophy.

Christian ethics—which we recognise as the consequence of our religious view of the world—demand not only the sacrifice of the personality to the collectivity of personalities, but demand the renunciation of one's own personality and of the collectivity of personalities in the service of God; pagan philosophy investigates only the means of obtaining the greatest well-being of the personality or collectivity of them, and hence the contradiction is inevitable. To hide this contradiction, there is only one way—to heap up abstract conditional ideas one upon the other. Thus the philosophers since the Renaissance, for the most part, proceeded, and to this circumstance—the impossibility of reconciling the Chris-

tian morality which they had already accepted, with "a philosophy derived from a pagan basis—must be ascribed the frightful abstractness, obscurity, unintelligibility, and estrangement from life of the new philosophy. With the exception of Spinoza who sets out in his philosophy from a religious, and—although he did not count himself a Christian—a truly Christian, basis, and the great genius of Kant, who simply made his ethics independent of his metaphysics, all the other philosophers, even the brilliant Schopenhauer, evidently invent an artificial relation between their ethics and their metaphysics.

It is felt that Christian ethics are something given beforehand, standing absolutely firmly and independently of philosophy, and not needing the fictitious supports placed under it, and that philosophy simply invents propositions in which the given ethics would not contradict it, but would be connected with it, and, as it were, flow from it. But all these propositions seem to confirm Christian ethics only so long as they remain entirely abstract. As soon as they are transferred to questions of practical life, not only the non-agreement, but even the evident contradiction, of the basis of philosophy with what we recognise as morality, becomes fully evident.

The unfortunate Nietzsche, who became so famous recently, is especially valuable as a personification of this contradiction. He is uncontradictable when he says that all rules of morality, from the point of view of existing non-Christian philosophies, are simply lying and hypocrisy, and that it is much more profitable, pleasant, and wise to form a community of *Uebermenschen*, and to be one of them, rather than of the crowd which must serve as the stage of these *Uebermenschen*. No possible construction of philosophy, issuing from a pagan religious view of the world, can demonstrate to a man that it is more profitable and reasonable for him to live, not for his own desirable, intelligible and possible well-being, or for the well-being of his family, his society, than for some other undesirable, unintelligible well-being, unattainable by the insignificant powers of mankind. Philosophy, based on an understanding of life which confines itself to human well-being, will never be in a position to prove to a reasonable man, who knows that he may die any minute, that it is good and right for him to forego his own desirable, intelligible and undoubted well-being, not even for the well-being of others, because he can never know the consequences of his sacrifice, but simply because it is good and right—that it is the categorical imperative.

To demonstrate this from the pagan philosophic point of view is impossible. To demonstrate that men are all equal, that it is better for a man to give his life to the service of

others, rather than to make others serve him, treading their lives under foot, our relation to the universe must be otherwise defined : it must be shown that man's position is such that there is no other course open to him, because the purpose of his life lies only in fulfilling the will of the Power that sent him ; and the will of the Power that sent him is that he should give his life for the service of men. And such a change of man's relation to the universe is given only by religion.

Just the same with attempts to derive and reconcile Christian morals with the fundamental positions of pagan science. No sophisms or turns of thought can make away with the clear and simple proposition that the law of evolution, lying at the base of all the science of our time, rests on the general, eternal and unchangeable law—on the law of the struggle for existence and the survival of the fittest, and that therefore every individual, to attain his own well-being or the well-being of his society, must be that fittest, and must make his society such, in order that not he and his society, but some other, less fit, may perish.

However much certain naturalists, frightened at the logical conclusions from this law and their applications to human-life, may try to extinguish this law with words, to talk it away, all their attempts will only make more evident the irresistibility of this law, which guides the life of the whole organic world, and hence also the life of man, considered as an animal.

At the moment when I was writing this, appeared the Russian translation of an article by Mr. Huxley, which consists of a discourse on evolution and ethics, read by him before an English society.

In this article, the learned professor, like our own famous Professor Bekétov a few years ago, and like many others, writing on the same subject, and with the same want of success as his predecessors, tries to show that the struggle for existence does not destroy morality, and that, while the law of the struggle for existence is recognised as the fundamental law of life, morality not only can exist, but is even perfected. Mr. Huxley's article is filled with all manner of jests, verses, and general views on the religion and philosophy of the ancients, and, in consequence of this, is so involved and confused that only with the greatest difficulty can one get at its fundamental thought. This thought, however, is as follows : the law of evolution is contrary to the law of morality, this was known to the ancients of the Greek as of the Indian world. And the philosophy and religion of both peoples brought them to the teaching of self-renunciation. This teaching, in the author's opinion, is wrong ; but the true

teaching is as follows: There is a law, which the author calls a cosmic law, by which all beings struggle amongst themselves, only the fittest surviving. To this law is subject man also, and, thanks only to this law, man has become what he now is. But this law is contrary to morality. How to reconcile this law with morality? In this way: there exists a social progress, which strives to restrain the cosmical process, and to substitute for it another process—the ethical—the aim of which is the survival, not of the fittest, but of the best in an ethical sense. Whence arose this ethical process, Mr. Huxley does not explain, but in his nineteenth note says that the basis of this process consists in the fact that men, as well as animals, on the one hand love to dwell in societies and restrain in themselves the qualities that are injurious to society, and on the other that members of societies forcibly restrain actions which run counter to the well-being of society. It appears to Mr. Huxley that this process, which leads people to overcome their passions for the preservation of the collectivity of which they are members, and the fear of being punished for destroying the order of this collectivity, is the very law of ethics, the existence of which he has to demonstrate.

Morality is something perpetually developing and growing, and hence the not injuring the established rules of a certain society, and the supporting of them by any external means whatever—means which Mr. Huxley speaks of as the instruments of morality—will be not only no confirmation, but even a destruction of morality. Every cannibal, who ceases to devour his fellow-beings, and acts in harmony with this, breaks the order of his society. There can be no doubt that every really moral action which advances morality, will always be a breach of the order of society. And hence, if a law has appeared in society according to which people sacrifice their own profit to preserve their society, this law is not a law of ethics, but, for the most part, on the contrary, a law contrary to all ethics, the very same law of the struggle for existence, only under a hidden, latent form. This is the same struggle for existence, only transferred from individuals to collectivities. This is no cessation of the struggle, but a drawing back of the hand, only in order to strike more forcibly.

If the law of the struggle for existence and the survival of the fittest is an eternal law of all that lives—and it cannot but be recognised as such for man regarded as an animal—, then no confused arguments about social progress and the ethical law which flows out of it, and, like a *deus ex machina*, springs forth from we know not where exactly when we needed it, can destroy the law of the struggle for existence.

If social progress, as Mr. Huxley assures us, gathers people

into groups, then the same struggle and the same survival will take place between families, races, nations ; and this struggle will not only not be more moral, it will be even crueller and more immoral, than the struggle of personalities, as we see in actuality.

Even if we admit the impossible—that, by social progress alone, all humanity will, after thousands of years, be united in a single unit, will compose a single nation and a single State, even then—to say nothing of the fact that, when the struggle between nations has come to an end, it will become a struggle between humanity and the animal kingdom—the struggle will still remain a struggle, that is an activity which radically excludes the possibility of what we have recognised as Christian morality. To say nothing of this, even then the struggle between personalities, gathered into collectivities, and between collectivities—families, races, peoples—will not diminish in the least, but will only take place in another form, as we see is the case in every union of people into social groups. Members of families quarrel and struggle among themselves as much as outsiders, and even more and more bitterly.

Exactly the same in a State : between people living in a State, there is exactly the same struggle as between people living outside the State, only in different forms. If the weaker are saved within the family and within the State, this is not at all owing to their social union, but owing to the fact that there is self-renunciation and love, in the people who are united in families and States. If, outside the family, of two children only the fittest survives, while in the family of a good mother both continue to live, this follows not at all from family union, but because of love and self-renunciation in the mother. And neither love nor self-renunciation can by any means flow out of social progress.

To affirm that social progress produces morality is like affirming that stove-making produces heat.

Heat comes from the sun, and the stove produces heat only when it contains fuel—the work of the sun. Exactly in the same way, morality flows out of religion. Special forms of life produce morality only then, when into these forms of life enter the results of religious influence on men—morality. Stoves may be lit and so give heat, or not be lit and so remain cold, and in exactly the same way contain morality within themselves, and so act morally on people, or not contain morality within themselves, and so remain entirely without moral influence on society.

Christian morality cannot be founded on a pagan understanding of life, and cannot be derived from non-Christian philosophy or science ; not only cannot be derived from them, but cannot even be reconciled with them.

This was always understood by every serious, strict and logical philosophy or science: "Our propositions will not harmonise with morality, so much the worse for morality," quite rightly say such philosophy and science, and continue their investigations.

Ethical treatises not based on religion, and even lay catechisms, are written and taught, and people may think that humanity is led by them; but this only seems so, because in reality people are led not by these treatises and catechisms, but by religion, which they always had and have, while the treatises and catechisms are only pretences at that which of itself flows out of religion.

The precepts of laic morality, not based on religious teaching, are exactly as if a man, not knowing music, were to take the place of the conductor and wave his hands up and down in front of the musicians who were fulfilling their accustomed task. The music, through inertia, and through what the former conductor had taught, would go on for a certain time; but it is evident that the baton-waving of the man who knew no music would not only be of no benefit, but would, in course of time, inevitably confuse the musicians, and throw the orchestra out. Such confusion begins to fill the minds of the people of our time, in consequence of the attempts of their leaders to give them a morality not based on that highest religion which is beginning to be accepted, and has already in part been accepted, by Christian humanity. Attempts to found morality outside religion are like what children do, when, wishing to transplant some plant that pleases them, they break off the roots that they do not like and that seem useless to them, and stick the plant into the ground without roots. Without a religious basis, there can be no real, unsimulated morality, just as without roots there can be no real plant.

And so, answering your two questions, I say, "Religion is a certain relation, established by man between his separate personality and the endless universe, or its source. Morality is the perpetual guiding of life which flows from this relation."

L. TOLSTOI.

ART. VII.—ORIGINAL SCIENTIFIC RESEARCH IN BENGAL.

ABOUT six years ago the present writer, in the pages of this *Review*,* not only lamented the marked want of proficiency of the Natives of India in knowledge of the Natural History Sciences of Zoology, Botany and Geology, but also enquired into the causes of this deficiency of knowledge, and attempted, at the same time, to suggest a few remedies whereby a keener and more enthusiastic spirit of scientific research might be awakened in the minds of Indian youths. It was then remarked that the deficiency in question was all the more regrettable, that the natives of this country had distinguished themselves in every branch of literature, and in every department of science, except Natural History. There are Indians who have distinguished themselves in law, medicine and engineering. There are Indians who have betaken themselves to the study of the physical and the chemical sciences, though they have not distinguished themselves by any brilliant discoveries or original researches therein. There are Indians who are distinguishing themselves by their original researches in mathematics. But it is to be deeply regretted that there is not a single native of India who has achieved distinction by any original research into, or discovery in, Natural History, or at least, who has devoted himself to the study of zoology and botany.

After the lapse of nearly six years a similar complaint has been made by no less a person than Professor Alexander Pedler, Professor of Chemistry, Presidency College, Calcutta, and late President of the Asiatic Society of Bengal. After reviewing, in the course of the Annual Address delivered by him before the Asiatic Society of Bengal on Wednesday, the 5th February, 1896, the contributions which had been made by the Native Members of that learned body during the century of its existence towards the advancement of literary, historical and archæological knowledge, and after taking literary stock of what had been done by them towards promoting original research in the Natural and Physical Sciences, he burst forth into a soul-harrowing lament which cannot but appeal strongly to the sympathies of those amongst us who take an interest in the moral and intellectual well-being of our country. Though the exordium of his speech on this subject is painfully accurate

* *Vide* my essay on "*The Pursuit of Natural History among the Natives of India*" in the *Calcutta Review* for July 1890.

in its details, yet the peroration is so full of hopes of a brighter intellectual dawning—of the awakening of a more enthusiastic spirit of scientific research among our countrymen—that I cannot refrain from quoting it here *in extenso* :—

“ In the latter half of the table a comparison is made of the number of published papers written by Europeans and by Native gentlemen. Taking up the numbers relating to papers in Part I, dealing with Languages, Philology, &c., it would appear that in the earlier years of the Society very few native gentlemen were able to contribute to its original work, for only two out of two hundred and seventy-five original papers were by native gentlemen, or roughly, rather less than one per cent. In the decade 1856-65, the papers by native gentlemen had risen to 12 per cent. of the total in this part, and in the following decade to 18 per cent; in the period 1876-85, this percentage was 22, and in the ten years 1886 to 1895, it again equalled 22 per cent. It is, therefore, clear that a spirit of original research among the native gentlemen of India has been gradually springing up, but though considerable strides have been made, it would still appear that much more progress in this direction should be made before an entirely satisfactory result can be said to have been arrived at.

“ The figures showing the production of papers contributed by native gentlemen to the Natural and Physical Science Section of our Journal are, I am extremely sorry to say, the least satisfactory of the whole table. Three papers only out of 409 printed in this section in 1836-45 were by native gentlemen. In the decades 1856-65 and 1876-85, not a single paper by any native gentlemen in Natural or Physical Science was contributed to our Journal, even though 110 and 164 papers were contributed in these periods by European members of the Society. One paper only in this section was contributed by a native gentleman during the period 1866-75. An improvement is, however, noticeable in the last period from 1886-95, for out of a total of 169 papers, 14 papers were written by native gentlemen, or roughly about eight per cent. of the number. It is, however, a decided improvement to have any at all, and we must be thankful to see a commencement in this direction. On examining also these papers, which have thus been contributed by native gentlemen, I regret to have to state that I found there are only three authors for the whole of the fourteen papers, and hence, I must conclude that at present the Society only possesses the small number of three native gentlemen who are carrying on research in the Natural and Physical Sciences. Again, also, I find that up to the last year or two the only subject in Part II of our Journal worked at by native gentlemen, and the results of which have been pub-

lished by us, has been the science of Mathematics. I am, however, glad to say that we have within the last two years received some original papers in Chemistry and Physical Science written by native gentlemen, and it is much to be hoped this is only the beginning of a steady increase in this direction, for the cultivation of experimental science in India is a decided want in the present practical and inventive age.

"It is difficult to come to any other conclusion from the foregoing facts than the disheartening one that native gentlemen as a whole have not yet shown any particular aptitude for original research, and that this is true not only with research of a literary nature, but more particularly true of research in the Physical and Natural Sciences. It is sad that this is the case even after high education has been established for so long, and has become widespread throughout India, and even after numerous facilities have been given in various directions for the encouragement of original work. In this connection I cannot help referring to the example of one of our late Presidents, Sir Charles Elliott, who, as you will remember, instituted a prize for the encouragement of scientific research. This is undoubtedly a step in the right direction, and one which is gradually bringing forth good fruit. It is a form of endowment, which it is to be hoped will be followed by many others of a similar nature. It should not, however, have been left for Sir Charles Elliott to lead the way in this matter, and to be up to the present time the only founder of such a scheme. Endowments of this kind ought really to come from native princes and noblemen, and other wealthy native gentlemen, who desire to see the natives of India taking their proper place in extending a knowledge of their own country and of its resources and in widening generally the boundaries of knowledge. I cannot think of any object which is more worthy than this, and I would beg all native gentlemen of wealth who have the true interests of their country at heart to come forward and endow projects, which have as their aim the encouragement of original thought and investigation. We have plenty of education, both elementary and of a more advanced kind, in the ordinary routine of subjects; and we specially have had plenty of more or less theoretical and literary education, and education which excludes many of the practical aspects of modern life; but what is now wanted is encouragement in practical and scientific educational subjects and in technical education. This should extend also to the fostering of higher work and thought in the latter subjects, which can be given by instituting prizes of this nature, or on similar lines. On a larger scale encouragement might be given by the institution of Fellowships in connection, perhaps, with our Universities,

Scientific Societies, Colleges and other places, which will require the carrying on of original work by the holders as necessary condition of the Fellowship, and I would express the hope that we may soon have other endowments like that of Premchand Roychand, whose scholarship, as many well know, is now, on the science side at least, inseparably connected with original investigation. While, therefore, there is this large field remaining to be filled by the efforts of wealthy India, there may be still certain directions in which our Society may use its influence as a body to help forward this most pressing work."

• So far as can be inferred from a perusal of the latter portion of the foregoing extract, the main cause assigned by the learned Professor for this want of aptitude for original scientific research appears to be an inherent apathy of the native mind for all literary and scientific work of an original nature. I must, however, dissent from this sweeping generalisation of the learned Professor, that the natives of India are as apathetic regarding the prosecution of original literary research as they are indifferent towards advancing the progress of scientific knowledge by the discovery of new scientific facts. On the contrary, Indian scholars have enriched the sciences of Indian Archæology and Epigraphy by many important light-bringing discoveries, which have been of great use in elucidating many a dark problem in Indian history and chronology. If any proof be needed of this, the sceptically-disposed reader may look to the published writings on these subjects of Raja Rajendralala Mitra, Dr. Bhāu Dāji, the late Pandit Bhagbānlāl Indrajī, Professor Rāmkrishna Gopāl Bhāndākar, and a host of others too numerous to be mentioned here, and he will find, I am sure, that, at least, some of the latest accessions to our recent knowledge of Indian Archæology are the results of researches carried on by that band of eminent Indian scholars whose names have been given above. Professor Alexander Pedler's sweeping remark does not even apply with equal force to the natives of India, so far as their researches in the domain of the Abstract Sciences, such as Mathematics and Astronomy, are concerned. The Hindu mind is as much characterised by subtlety of thought and acuteness of intellect to grapple successfully with the most intricate problems of Mathematics and Astronomy as to unravel the mysteries of Hegelian philosophy. Should proof be needed of this, too, the sceptic may be again asked to look at the published dissertations on Mathematical subjects of Dr. Asutosh Mukhopadhyā, F. R. A. S., F. R. S. E. It is only in the domains of the Natural and Physical Sciences, that is, of those sciences which require for their successful study a highly

trained and highly cultured faculty of observation, a dexterity in the performance of experiments and a facility in applying the process of inductive generalisation to the determination of scientific truths and laws, on the part of the students, that Indians have been found especially wanting. Although the ignorant may think lightly of the ascertainment of a scientific fact, as being easy, yet the true votary of science looks at it in the light of a serious task. In Chemistry and Physics, each single fact has to be established by repeated observation and experiment. It is said that Dr. Andrews had to repeat one experiment several hundreds of times before he could find out the change of bulk in oxygen gas when converted into ozone by the electric spark. Similarly the peculiarity of the Natural History group of sciences is the creation of a system of classification to embrace an enormous number of objects. The very learning of the art of classification is in itself another form of education. Besides, Zoology, Botany and Geology also require the aid and exercise of the faculties of observation, experiment and induction. In fact, it has been said that the Sciences of Classification, namely Zoology, Botany and Geology, are but modifications of the Experimental and Inductive Sciences of Chemistry and Physics accommodated to the emergency of putting into orderly array the vast multitude of animals, plants and minerals. But I have said on more than one occasion that the natives of this country are altogether wanting in the faculties of observation, experiment and induction, which are essentially necessary for the study of the Physical and Natural Sciences.

The faculty of observation is like a pair of spectacles through which we look up, as it were, to Nature and to Nature's God. The habit of observation is the only means by which we can attain to mastery over the Natural Sciences, and the more it is developed and matured, the more it reveals to us things novel and curious in nature which formerly escaped our notice. There are the gay-winged insects, the "birds with painted wings," the wayside flowers with the colours of the rainbow blended in them, and many other objects of beauty in Indian landscapes which delight the heart of a European, but possess no charm for the Indian. No native, for instance, would pause to watch the habits of a particular bird or insect, or to examine the structure of a particular flower. They are not imbued with that feeling of pleasure which "the meanest flower that blows" excites in the minds of many Europeans. No native of India feels any interest in these objects of nature, except so far as they are subservient to his daily uses. But, in justice to my countrymen, it must be said that they are not to blame for this deficiency.

in the faculty of observation, for something must be lacking in their mental constitution to make them so apathetic as regards the prosecution of original research in the Physical and the Natural Sciences. The faculty of observation is awakened in Europeans at a very early age. From their very boyhood, they begin to make collections of butterflies, moths, beetles, shells, and the like; and European children will go to the most inaccessible places to collect rare flowers and ferns. The true cause of this love of European children for natural history pursuits is that they imbibe it from their parents. The majority of Europeans in India, as elsewhere, are in some sort field-naturalists—lovers of plants and flowers and birds and butterflies. Thus it is that the faculty of observation is often awakened in them in their earliest years; and the home often becomes to them what the lecture-room occasionally becomes to natives when pretty well advanced in life. But the contrary is the case with my fellow-countrymen. As few of them take any interest in the Physical and the Natural Sciences, their children also imbibe their indifference to these pursuits. The poorest of Europeans keep a few flowering and ornamental shrubs in their houses, but even the richest of natives seldom have a single vestige of greenery in their homes. Consequently, native children find nothing in the shape of Natural History specimens in their homes to kindle in them that love of animals and plants which is at the very root of the study of Natural Science.

It has been said by an eminent authority on the science of education that, for the better teaching of the Experimental and Inductive Sciences of Physics and Chemistry, and the Sciences of Classification, namely, Zoology, Botany and Geology, the teacher should not only familiarise the young minds under his charge with the actual experiments and the specimens, but the pupils should also manipulate the same with their own hands, for the actual specimens, when seen and handled, and the experiments when manipulated, make a more lasting impression on the mind than any verbal description can—an impression which is not only greater in intensity, but more faithful to the fact. As the most desirable form of knowledge is the full and precise conception of actualities—of objects as they are, the necessity of experiment and the actual manipulation of the specimens become all the more important, for the interest excited by the concrete detail is very great, it being the easiest of all forms of scientific interest. In order to make a successful experiment, the experimenter has to take many delicate precautions and have recourse to many fine manipulations—some of

which involve matters of knowledge that are not, perhaps, conveyed to the minds of the learners, while they retain a very lasting hold of the memory of the experimenter himself. It is fully evident, therefore, that no one can hope to be an adept, an expert, or an authority in any one of the experimental sciences of Physics or Chemistry unless he sets himself to study it practically.

The Indian student's deficiency in the knowledge of the Natural Sciences is also partly due to the humane instincts of the Hindu mind, which forbid the infliction of pain in any shape on the lower animals. But, for successfully studying the Natural Sciences or, at least, that department of them which deals with living animals, it is absolutely necessary that the structure of animal organisms should be examined in all its details—a process which cannot be carried out unless the animals are first deprived of their lives. It is a well-known fact that, for the purpose of examining at leisure the functions of certain organs of the animal frame, or of testing the action of certain drugs on the brain, scientific men often stupefy dogs, rabbits and other animals by administering chloroform or some other anæsthetic to them, and rip open the required parts so as to expose to the view the internal structures thereof. It is to protest against the doings of these men, who “mangle the living dog drenched with the hellish oorali,” that the leading Hindu and Marwari gentlemen of Calcutta have, within the last two years, formed themselves into a powerful organisation under the name of the Anti-Vivisection Society of India. This newly-formed Society is but another manifestation of that humane instinct of the Hindu mind which is averse to inflicting pain in any shape whatever on the lower animals. It is partly these humane sentiments towards the lower animals that have prevented my countrymen from betaking themselves to their study. It is precisely these sentiments which made Sir William Jones averse to the study of Zoology. In his Tenth Anniversary Discourse, delivered by him in 1793, before the Asiatic Society of Bengal and embodied in the fourth volume of the *Asiatic Researches*, he gave utterance to these sentiments, with his characteristic eloquence, in the following touching and noble words: “Could the figure, instincts, and qualities be ascertained either on the plan of Buffon, or on that of Linnæus, without giving pain to the object of their examination, few studies would afford us more solid instruction, or more exquisite delight; but I never could learn by what right, nor conceive with what feeling, a naturalist can occasion the misery of an innocent bird, and leave its young, perhaps, to perish in a cold nest, because it has gay plumage, and has never been delineated; or deprive even a butterfly of its natural enjoyment,

because it has the misfortune to be rare or beautiful. The study of the practical side of Zoology involves much dirty work, for the internal organs of animals cannot be advantageously studied unless they are dissected so as to 'expose to the view the minutest structures of the various organs.' It was this aversion to the process of cutting open and disembowelling animals for the purpose of studying their internal structure that led the great Orientalist to the pursuit of botany, which he calls "the loveliest and most copious division in the Science of Nature."

Having shown that this disheartening disinclination of the natives of India to cultivate the Experimental Sciences of Chemistry and Physics, and the Sciences of Classification, such as those of Zoology, Botany and Geology, proceeds largely from an inherent lack of the faculties of observation and experiment in the mental constitution of the Indian youths, I must now go on to examine how far Professor Pedler's statement, to the effect that "it is sad that this is the case even after high education has been established for so long, and has become widespread throughout India, and even after numerous facilities have been given, in various directions for the encouragement of original work," is true; that is to say, what numerous facilities have been given and in what directions, for the prosecution of original scientific research by native Indian youths.

The first and foremost facility that has been offered for the fostering of higher thought and work in the department of Science is the endowment known as the Elliott Prize for Scientific Research. During the year 1892, Sir Charles Elliott made the handsome donation of Rs. 5,000, which was invested in the Government 4 per cent. promissory notes, and yields an annual income of Rs. 200 for the purpose of creating an endowment for the encouragement of original research in the Physical and the Natural Sciences in Bengal. Ultimately the scheme took the shape of a prize which should be awarded annually, either in cash or partly in the form of a gold medal and partly in cash, for any original essay embodying the results of original research or investigation in any branch of Physical, Chemical, Mathematical or Natural Science. The Trustees appointed to administer the endowment were the President of the Asiatic Society of Bengal, the Vice-Chancellor of the Calcutta University, and the Director of Public Instruction of Bengal. The Council of the Bengal Asiatic Society have not only authorised the President to act as a Trustee of the Elliott Prize Fund for original scientific research, but have also agreed to the prize being awarded at the Annual General Meeting of the Society held in the month of February every year.

It appears that the following five competitors entered the lists to compete for the Elliott Prize for Scientific Research for the year 1893, and sent in the undermentioned five essays :—

- (1). Babu Asutosh Mukhopádhya, M. A., F. R. S. E.

(3 essays) :—

- (a).—On an application of differential equations to the theory of plane cubics.
 (b).—Researches on the number of normals common to two surfaces, two curves, or a curve and a surface.
 (c).—On the application of Gauss' theory of curvature to the evaluation of double integrals.

- (2). Babu Jnán Saran Chakravarti, Student, Presidency College :—

A chapter on the general equation of the second degree.

- (3). Babu Brajendranáth Seal, M. A., Principal, Berhampore College :—

New methods of determining some fundamental definite integrals, being a chapter in the integral calculus ; with an introductory section containing new formulæ for the summation of series, together with their applications.

- (4). " S. L. S.," Student, Presidency College :—

A deduction of the properties of prime and composite numbers from those of recurring decimals, and their equivalents in other scales of notation.

- (5). Babu Chandra Kanta Basu, Sub-Overseer, Madaripur :—

Mathematical investigations, and their practical applications, if possible, for the determination of a sound-generating spot where sonorous vibrations commence and afterwards produce the sensation of sound, from the data of observed differences of time in which the same report is heard from several places fixed in position.

The Trustees, after consulting experts, as provided in the scheme, adjudged the " Elliott Prize for Scientific Research" for the year 1893 to Babu Chandra Kanta Basu, Sub-Overseer, Madaripur, author of the paper numbered 5 in the above list.

The subject-matter of the Elliott Prize Essay for 1893 may be summarised as follows :—A few years ago, the Bengal Asiatic Society appointed a committee of scientific gentlemen to enquire into the origin of those sounds, like the booming of distant cannons, which can often be heard during the rainy season at places situated in the districts of Lower

Bengal, bordering immediately upon the Bay of Bengal, otherwise familiarly known to Europeans as the *Barisal Guns*. But, as all the information that had been hitherto gathered on this subject was vague and insufficient, the Committee could not arrive at a definite conclusion. It was, however, evident that, if the spot from which the sounds emanate could be accurately ascertained, the solution of the problem would be rendered much easier. The Elliott Prizeman for 1893 sought to solve this problem about the origin of the Barisal Guns on the following mathematical principle:—Assuming that the velocity of sound is known and constant, if the same sound is heard at two different places, the difference between the distances of those places from the spot where the sound originated can be calculated, being equal to the velocity of sound multiplied by the difference between the times observed. From the well-known property of the hyperbola, that the difference between the focal distances of any point of the curve is constant, it follows that the sound must come from some point of a hyperbola having the two observing stations as its foci, or, if allowance be made for the curvature of the earth's surface, from some point of a hyperboloid of revolution. When there are several observing stations, each pair of stations gives a definite locus for the origin of the sound, and if the point common to all these loci can be determined, this point must be the one required. The prizeman has, by calculations which are given at considerable length in the prize-essay, determined this common point, and has, also, given the modifications of the calculation caused by the variations of the velocity of sound and other causes.

The "Elliott Prize for Scientific Research" for 1894 was not awarded to anybody. The subject selected for the prize that year was Natural History. There was but one competitor in the field who sent in an essay on that subject. But the Trustees of the Prize-fund, having consulted experts, as provided in the scheme, came to the conclusion that the essay sent in was not of sufficient merit to justify the award of the prize to its author.

The "Elliott Prize" for 1895 has been awarded to Babu Jyotibhusan Bhaduri, M. A. The subject for the prize-essay last year was Chemistry, and the Trustees of the fund had received only two essays from the following competitors for the prize:—

1. On the Transformation of Hypochlorites into Chlorates, by Babu Jyotibhusan Bhaduri, M. A.
2. On the wastage of gold in the course of preparing jewellery in Bengal, especially in "colouring," with explanations

of interesting indigenous chemical processes, and researches, into the subject of recovering the gold that is lost, by Jnán Saran Chakravarti, B. A.

After consulting experts, the Trustees awarded the prize for the year 1895 to the author of the first-named dissertation. They also considered the essay by Babu Jnán Saran to be worthy of commendation. The gist of the subject treated of in the prize-essay is as follows :—

In the beginning of the paper the various methods of estimating chlorates and hypochlorites are described. It has been found possible to estimate both directly in a mixture containing them, by distillation in moderately dilute solution with pure phosphoric acid and then treating the residue with fuming hydrochloric acid. Hypochlorites cannot be estimated in acid solutions (with KI and HCL) in presence of chlorates.

By passing the washed chlorine gas through a solution of sodic hydrate, the action of chlorine on the hydrate is determined. On account of considerable change in the volume brought about by the absorption, the quantity of sodium is estimated subsequently. The total amount of chlorine is ascertained by reduction, with zinc copper couple, and the hypochlorite by Penot's, or distillation processes. It has been found, as the result of numerous experiments, that the amount of chlorate which is formed in solution up to 7 per cent. of concentration, and containing free alkali, is insignificant. Above 10 per cent. solution, however, the secondary reaction—transformation—becomes more distinct, and when the concentration exceeds 20 per cent., time becomes an important factor. The presence of free alkali retards the change.

For the purpose of observing the transformation, the solution of known potency is kept in stoppered bottles, or sealed tubes, and then exposed to rays of different degrees of refrangibility, or kept in a totally dark place. After the required time, an analysis is made of the contents thereof, and the amount of oxygen is also determined therewith. It has been found, as the result of the analysis, that a solution of sodium hypochlorite decomposes slowly even when kept in an absolutely dark place, and that the rate of decomposition increases with the increase in the refrangibility of the rays. Yellow rays are found to be far more active than the red in bringing about the decomposition. The decomposition is one into chlorate and free oxygen. If there be very little free alkali, or none at all, chlorine gas is at the same time liberated.

When the decomposition takes place at about 100° C., strong sealed glass tubes are made use of. Comparing the percentage decomposition of a number of solutions wherein the relative amounts of free alkali, chloride, chlorate and hypochlorite

are the *same*, the following peculiarities are found. The rate of decomposition diminishes with dilution up to a certain point when it is a minimum. Further diminution in concentration, instead of diminishing, increases the rate of decomposition. This peculiarity is found not only in the case of similar solutions heated for different periods of time, but in all solutions which are examined, the proportion of hypochlorite to free alkali being approximately found to be as 2 : 5, 2 : 2 and 2 : 1. When the percentage decompositions are represented by curves whose ordinates express percentage decompositions and abscissa concentrations, greatest depressions (minimum decompositions) lie very nearly in the same vertical line. The exact strength of the solution which decomposes least has not yet been accurately determined, but it is found to range between 1.5 and 1.7 per cent. of concentration. The influence of the other constituents may be left out of consideration, as all the solutions, containing widely different amounts of chlorate, hypochlorite and free alkali point to the same conclusion. In all cases, however, oxygen and chlorate are produced at one and the same time. At the end of the first hour, the quantity of oxygen that is set free varies from $\frac{1}{4}$ to $\frac{1}{2}$ of the oxygen fixed in the chlorate. As the time of heating is increased, the amount of free oxygen is also increased; but in no case is this quantity greater than the oxygen of the chlorate, although the potency of the solution is found to vary from 3 to 8.9 per cent., and the period of heating from one to six hours and a half. As the potency of the solution diminishes, oxygen is set free in larger quantity. For the same quantity of chlorate formed, the amount of oxygen decreases with the rapidity with which the solutions are heated.

The second facility that has been offered to Indian students for the prosecution of biological and physiological researches is the opening of the Joy Gopind Law Laboratory in the Calcutta Zoological Gardens, for which the Calcutta public must for ever be indebted to the munificent liberality of Babu Joy Gobind Law, a wealthy citizen of Calcutta. In a letter, dated the 8th August 1892, addressed to the Hon'ble H. H. Risley, C.I.E., a Member of the Committee of Management of the Calcutta Zoological Gardens, the Babu offered Rs. 15,000 to found a laboratory for the purpose of conducting experiments with, and testing, the various alleged remedies for snake-bite which are from time to time brought to notice, and for other physiological and biological investigations. This munificent offer having been thankfully accepted by the Committee, a communication was addressed to the Government of Bengal, which suitably acknowledged the gift in the official Gazette. The laboratory is now practically completed and supplied with

a set of apparatus for biological investigations. During the year 1893-94, Dr. Cunningham carried on in this laboratory a series of experiments on the efficacy of various alleged remedies for cases of snake-bite. Another series of experiments, undertaken at the instance of the "Hemp Drugs Commission," was also initiated during the course of that year and carried on in this laboratory. Experiments on the efficacy of the various alleged antidotes to snake-poisoning were also continued in it during the year 1894-95. Dr. D. D. Cunningham, who carried on these experiments, submitted to the Government of Bengal a separate report embodying the results of these investigations, which has been published in the *Calcutta Gazette*. But the facilities afforded by this laboratory have not as yet been availed of by any Indian student for the prosecution of research in Biology or Physiology.

In 1893, a Professorship of Geology was established in connection with the Presidency College, Calcutta, for teaching that science in all its branches. Since the endowment of this chair, some students have passed the B. A. Examination with honours in Geology from that College.

These are the *numerous* facilities, which can be counted on the fingers of one hand, and which have been referred to by Professor Pedler in the course of his address as being available to Indian students for the prosecution of original research in the Physical and the Natural Sciences; and, considering the extent of the facilities offered, I must say that the original work in Physical and Natural Sciences which is being done by native gentlemen, both within the sphere of the Calcutta University and also outside its domain, is very encouraging indeed, and betokens the dawning of a brighter intellectual future for Bengal. I will proceed to review in the following pages the original work which is being done by native gentlemen in the field of scientific investigation. In the domain of Physics, the researches of Mr. J. C. Bose, M. A (Cantab.) D. Sc. (Lond.), Professor of that science in the Presidency College, Calcutta, are already attracting the attention of the scientific world in Europe. The results of Dr. Bose's investigations on Electro-Magnetic Radiation and Light, which were carried out in 1895-96 at the Physical Laboratory of the Presidency College, Calcutta, have been published in the following six instalments :—

1. On Polarisation of Electric Rays by Double Refracting Crystals. (*Journal of the Asiatic Society of Bengal, Part II, for 1895.*)
2. On the Determination of the Indices of Refraction of various Substances for the Electric Ray. (*Proceedings of the Royal Society of London, Vol. 59, p. 160.*)

3. On a New Electro-Polariscope.* (*Electrician*, 27th December, 1895).
4. On Double Refraction of the Electric Ray by a Strained Dielectric. (*Electrician*, 27th December 1895).
5. On a Simple and Accurate Method of Determining the Index of Refraction.*
6. On the Determination of the Wave Length of Electric Radiation by Diffraction Grating.†

In May 1895, this gentleman read before the Asiatic Society of Bengal a paper "On Polarisation of Electric Ray by Double Refracting Crystals," which embodies some of the results of the investigations undertaken by him to find out natural substances which would polarise the electric ray. In this paper the author gives an account of the polarising action of certain crystals on the transmitted ray. The apparatus used in these experiments consisted of an electric radiator emitting electro-magnetic radiation of short wave length, a polariser, an analyser and a receiver responding to incident radiation. The polariser and analyser are adjusted in a crossed position, and the crystal to be examined is then interposed. In certain positions the crystal brightens the dark field. Crystals belonging to the Tetragonal, Hexagonal, Rhombic, Monoclinic and Triclinic systems were found to polarise the electric ray. The effect produced by the following crystals was especially marked:—Beryl, Apatite, Brucite, Barite, Microcline. The results of these researches have shown "that crystals which do not belong to the Regular System, polarise the electric ray just in the same way as they do a ray of ordinary light. Theoretically, all crystals, with the exception of those belonging to the Regular System, ought to polarise light. But this could not hitherto be verified in the case of opaque crystals. There is now no such difficulty with the electric ray, for all crystals are transparent to it. As a matter of fact, all these experiments, with one exception, were performed with specimens opaque to light, and it was an interesting phenomenon to observe the restoration of the extinguished electric radiation, itself invisible, by the interposition of what appears to the eye to be a perfectly opaque block of crystal, between the crossed gratings." A detailed account of the apparatus used and the results obtained have been published in the Bengal Asiatic Society's *Journal* for last year.

At a meeting of the Royal Society of London, held on the

* Published for the first time in Dr. Bose's, *An Account of Experimental Research in the Physical Laboratory, Presidency College, Calcutta, in 1895.* Calcutta : W. Newman & Co. 1896.

† Published for the first time in the form of a pamphlet.

12th December last, a paper on the "Determination of the Indices of Refraction of various Substances for the Electric Ray" by this gentleman was read. Mr. J. C. Bose's researches in the domain of Physics are so highly valued in England that he recently had the honour of receiving from Lord Rayleigh, the discoverer of the new element Argon, a letter telling him that his paper "On the Indices of Electric Refraction" had been communicated to the Royal Society of London. Further, these researches are considered so important that the Royal Society has expressed a desire to make a grant in furtherance of them from the "Government Fund for the Encouragement of Original Researches," annually voted to the Society by the British Parliament. Mr. J. C. Bose, whose love for the study of nature and enthusiasm for researches into physical science are well-known, has devoted all his spare hours to the experimental study of Hertz's discoveries ever since 1890, and has succeeded, with the scanty apparatus at his disposal, in proving experimentally the identity between luminous and electric waves, the chief difference between the two being in the size or length of the vibration.

In this paper, Dr. Bose says: "The indices of refraction of transparent substances have been determined by the usual optical methods. There is still a large number of substances, like the various rocks, wood, brick, coal-tar and others, whose indices cannot be determined in this way owing to their opacity to light. These substances are, however, transparent to electric radiation, and the present investigation was undertaken to find a direct method of determining their indices with a sufficient amount of accuracy. Even in the case of optically transparent substances, the indices are only known for the narrow range of luminous radiation. For greater wave lengths, the index is inferred from Cauchy's formula. Professor Langley has, however, shown that this formula fails to give trustworthy results when applied to the dark radiations in the infra-red portion of the spectrum. It does not, therefore, seem at all likely that the above formula will give accurate results when applied to electric radiation.

"For the determination of the index for the electric ray, the prism method is not very suitable. In the well-known experiment of Hertz with the pitch prism, the deviation of the refracted rays extended from 11° to 34° . The approximate value of $n=1.69$ obtained from this experiment, is probably higher than the true value by about fifteen per cent. For the accurate measurement of the deviation, the effect produced by radiation on the Receiver should be made to undergo an abrupt variation. When the radiation passes from a dense to a light medium, then at a certain critical angle of incidence

the radiation is totally reflected. From this critical angle, the index of refraction is easily determined. The great advantage of this method lies in the fact that the transition from refraction to total reflection is very sudden. I have determined the n of various substances for the electric ray by the method of total reflection. It will be seen from the results of my experiments that this method is capable of giving very good results."

Anent the new Electro-Polariscope invented by him, Professor Bose observes: "In a paper read before the Asiatic Society of Bengal 'On Polarisation of Electric Rays,' in May last, I gave an account of some experiments which showed that crystals which do not belong to the Regular System, produce double refraction of the electric ray, and that the refracted beams are plane polarized. Among the numerous crystals examined, I found some exhibiting the so-called depolarising action in a very marked degree, even when the thickness of the crystal was less than the wave length of the electric radiation. I found, for example, Nematite, a fibrous variety of Brucite, exhibiting this action with pieces which were comparatively thin. Different varieties of Satin Spar, Serpentine, Tourmaline and a few others, were found to be very effective depolarisers. From the various experiments made, I was led to suppose that these crystals transmit the ordinary and the extraordinary rays with unequal intensities. It would thus seem possible to quench one of the two rays by absorption, ordinary radiation after transmission through these crystals thus becoming plane polarised. It should, however, be mentioned here that crystals as a rule are far more transparent to electric radiation than to ordinary light, and as a consequence greater thickness of crystals would be required for the complete absorption of one of the two rays. The apparatus with which these experiments were carried out, consist of a radiator emitting short electric waves, a cylindrical lens of sulphur for rendering the electric beam parallel, a pair of Analyser and Polariser and a Receiver for detecting the electric radiation."

Dr. Bose's paper "On Double Refraction of the Electric Ray by a Strained Dielectric" embodies the results of the researches which were undertaken by him to find out whether a dielectric becomes double-refracting to the electric ray when the substance is subjected to a molecular stress by unequal expansion due to heat, or by mechanical compression. In carrying on this experiment he used the new Electro-Polariscope mentioned above, the Analyser and the Polariser having been crossed and the strained substance introduced between them.

With regard to Dr. Bose's invention of the new Electro-Polariscope, the *Electrician* of the 27th December last wrote as follows :—"We publish this week an interesting set of papers by Professor J. C. Bose dealing with the subject of Electro-Magnetic Radiation. It was suggested some years ago in these columns *apropos* of the *Eider*, which, it will be remembered, ran ashore in a dense fog almost at the foot of the St. Catherine's light, that it would be a useful and a remunerative job for some practically-minded man to devise a practicable system of electro-magnetic 'light' houses, the receivers on boardship being some electrical equivalent of the human eye. The evolution of a suitable generating apparatus would, we thought, present little difficulty; that of a suitable receiver, on the other hand, seemed likely to give considerable trouble. In this connection we would draw attention to the substantial and workmanlike form of 'Coherer,' devised by Professor Bose, and described by him at the end of his paper 'On a New Electro-Polariscope.' The sensibility and range of this type of 'Coherer' would appear to leave little to be desired, and it is certainly more likely to withstand, with equanimity, the thousand and one shocks that the flesh is heir to at sea, than any of the forms hitherto brought out."

In his paper "On a Simple and Accurate Method of Determining the Index of Refraction," now published for the first time, Professor Bose described a cheaper, and at the same time simple, apparatus for determining the Index of Refraction, as follows:—

"The apparatus usually employed for the determination of the index of refraction is very elaborate and costly. Numerous adjustments have to be made, and a long time spent to secure accurate results. The following method for the determination of the optical index is a modification of the one which has for some time been employed by me in the determination of the index of electric refraction. The apparatus required is very simple, and I made a rough model of it at a trifling cost, and gave it to my pupils for trial. I was surprised to find how, even in their inexperienced hands, it gave results which would compare favorably with the various determinations of the indices hitherto made. The other advantages of this method are the quickness with which a determination can be made, and its adaptability to lecture demonstrations.

"The method depends on the determination of the critical angle at which total reflection takes place. The principle of total reflection has also been employed by M. M. Terquem and Trannin, but the method now being described is somewhat different, being much simpler, as no Collimator and observing

Telescope are required. It has the additional advantage of being applicable to solids ; and, by a process of repetition, the value of the critical angle is obtained with very great accuracy. A beam of light is refracted from the given substance into air, and the angle of incidence gradually increased till total reflection just takes place. From the critical angle i thus determined, the index is found from the formula
$$u = \frac{1}{\sin i}.$$

" The apparatus required is, as has been said before, very simple, and may be constructed at a cost of only a few shillings. The essential things necessary are,—(1) a hollow glass cylinder, which may be a beaker, for liquids (or a stoppered phial for volatile substances), or two semi-cylinders of the given solid ; (2) a circular wooden table graduated into degrees, and capable of rotation round a vertical axis. The table has at the centre a raised circular platform carrying an index. The platform can revolve round the common vertical axis independently of the table. When the platform is clamped down, the circle and the platform revolve together round a common axis. The apparatus may be used for the following investigations :—

- (1.) Determination of the indices of solids and liquids.
- (2.) Variation of the index with the strength of different solutions,
- (3.) Variation of the index with temperature.
- (4.) Determination of the indices for the different rays, and of the dispersive power.

The thesis which Professor Bose recently presented to the University of London for the degree of D. Sc. embodies the results of his researches into the methods of determining the Wave-Length of Electric Radiation by Diffraction-Grating. On account of the great importance of these interesting researches, the University of London has conferred on him the rare distinction of the degree of Doctor of Science—the highest honor at the disposal of that learned body. The Board of Examiners of that University have accepted the thesis sent in to them by Mr. Bose for the ensuing D. Sc. examination, and have made a special case in his favour by conferring on him this high degree without requiring him to present himself personally at the examination. The gist of Dr. J. C. Bose's researches in this direction may be best told in his own words as follows :—

" While engaged in the determination of the Indices of Refraction of various Substances for the Electric Ray (*vide* Proceedings of the Royal Society of London, Vol. 59, p. 160), it seemed to me that the results obtained would be rendered more definite if the wave-length of the radiation, could at

the same time be specified. Assuming the relation between the dielectric constant K , and the index u as indicated by Maxwell to hold good in all cases, it would follow that the index could be deduced from the dielectric constant, and *vice versa*. The values of K , found for the same substance by different observers are, however, found not to agree very well with each other. This may, to a certain extent, be due to the different rates of alternation of the field to which the dielectrics were subjected. It has been found in general that the value of K , is higher for slower rates of alternation, and the deduced value of u would therefore be higher for slow oscillations, the larger waves being thus the more refrangible. The order of refrangibilities would in such a case appear to be somewhat analogous to that in an anomalously dispersive medium like iodine vapour. With exceedingly quick ethereal vibrations, which give rise to light, there is an inversion of the above state of things, *i. e.*, the shorter waves are generally found to be the more refrangible. It would thus appear that there is a neutral vibration region at which this inversion takes place, and where a transparent medium produces no dispersion.

"It would be interesting to be able to determine the indices of refraction corresponding to different wave lengths chosen as widely apart as possible and plot a curve of refrangibilities. A curve could thus be obtained for rock salt, which is very transparent to luminous and obscure radiations, and fairly so to electric radiation. Carbon bisulphide, which is very transparent to all but the ultra-violet radiation, would also be a good substance for experiment.

"For the construction of a curve of refrangibility for electric rays having different vibration frequencies, the indices could be determined by the method of total reflection referred to above. The determination of the corresponding wave lengths, however, offers great difficulties. Hertz used the interference method for this purpose. The positions of nodes and loops of stationary undulation produced by perpendicular reflection were determined by means of tuned circular resonators.

"Sarasin and De la Rive subsequently repeated these experiments with different sized vibrators and resonators. They found that the apparent wave length depended solely on the size of the resonators. The wave length found was approximately equal to eight times the diameter of the circular resonator. From these experiments it was supposed that the radiator emitted a continuous spectrum consisting of waves of different lengths, and that the different receivers simply resonated to vibrations with which they happened to

be in tune. If this supposition be true, the emitted radiation should, by the action of a prism, or better still, a diffraction grating, spread out in the form of a more or less continuous spectrum. If, on the contrary, the radiation is monochromatic, the spectrum should be linear. The experiments made by me may throw some light on this question.

"Professor J. J. Thompson, referring to the above case, is of opinion that the hypothesis of a continuous spectrum is highly improbable. It is more likely that owing to the oscillation being of a dead-beat character, the resonator is set in vibration by the impact of incident electric waves. Each resonator vibrating at its particular free period, measures its own wave length.

"There is, however, one difficulty in reconciling the theoretical value with that actually obtained. According to theory, the wave length should be equal to twice the circumference, or 2π times the diameter of the circular resonator. The value actually obtained by Messrs. Sarasin and De la Rive is, as has been said before, eight times the diameter of the circle.

"Rubens, using a bolometer and Lecher's modification of the slide bridge, determined the nodes and loops in a secondary circuit in which stationary electric waves were produced. A curve obtained by representing the bolometer deflections as ordinates and the distances of the bridge from one end as abscissae, shows the harmonic character of the electric disturbance in the wire. It was found that the wave length obtained by this method did not depend on the period of the primary vibrator; the wave length measured was merely that of the free vibration started in the secondary circuit by the primary disturbance.

"Hertz's method is, therefore, the only one for the measurement of electric waves in air, and the result obtained by this method is vitiated by the influence of the periodicity of the resonator. It was therefore thought desirable to obtain the wave length of electric radiation in free space, by a method unaffected by any peculiarity of the receiver.

"I have succeeded in determining the wave length of electric radiation by the use of curved gratings, and the results obtained seem to be possessed of a considerable degree of accuracy. Rowland's method of using the curved grating for obtaining diffraction light spectra was also found well suited for the production of pure spectra of electric radiation."

The mean value of the different wave-lengths obtained by Dr. J. C. Bose from these investigations has been found to be 1.846 C. M. These researches have further proved that the diffracted spectrum is not continuous, but linear, and that the radiation is monochromatic and gives rise to a bright line spec-

trum. It has further been found that the method adopted by Professor Bose of determining the wave-length of electric radiation by a diffraction-grating gives concordant results, and that these determinations are not in any way affected by the periodicity of the receiving circuit—the receiver being simply used as a radioscope.

Dr. J. C. Bose's researches have been very favourably received by savants in Europe, and have earned for him a well-deserved reputation. The University of Cambridge was the first to recognise his merits, for as soon as his paper on the Electro-Magnetic Radiation was published in the pages of the *Electrician* of the 27th December last, it signified its high appreciation of the great value of his investigations by conferring on him the honorary degree of Master of Arts, an honour which was never before accorded by any English University to any Indian graduate. Nor were the scientists slow in according to Professor Bose his due meed of praise, for as soon as his invention of the new Electro-Polariscope was announced to the world, letters of congratulation from such eminent savants as Lord Kelvin, Professor Sadowsky and others poured in to him from different parts of the globe. Recently the Royal Society of London has, on the recommendation of the Parliamentary Grant Committee, placed at his disposal a grant of money for the systematic determination of the Index of Refraction of all Dielectrics for the Electric Ray and other researches.

In the domain of chemical research, Dr. P. C. Rāya, D. Sc. (Edin.), Assistant Professor of Chemistry, Presidency College, Calcutta, is doing excellent work. Having obtained the Gilchrist Scholarship awarded for the years 1883-87, Mr. Rāya went, in 1882, to Edinburg, and commenced his studies in the University of that town. Having laid a sound foundation of general scientific knowledge, he devoted himself especially to the study of Chemistry. He worked in the Chemical Laboratories during the summer and winter sessions, from May 1883 till March 1888, and latterly acted as Laboratory Assistant to Dr. Gibson and Dr. Alexander Crum-Brown, M. D., D. Sc. F. R. S., Professor of Chemistry in the Edinburgh University. Mr. Rāya also attended the Practical Class held by Professor Tait, and subsequently worked with much success in the Physical Laboratory also. In 1885, Mr. Rāya graduated as B. Sc. in the Physical Experimental Sciences, and took the degree of D. Sc. in 1887. He was awarded the Hope Prize Scholarship in Chemistry, and held it during the years 1887-88. Dr. Rāya is also a Vice-President of the Chemical Society affiliated to the University of Edinburgh. His acquirements as a chemist are of a very high order, and have been

highly testified to by eminent authorities in Europe. Professor Crum-Brown spoke of him as follows :—

"As much of Dr. Ráya's work was done under my own observation, I can speak with confidence as to his ability and knowledge. He has an extensive and sound acquaintance with all branches of theoretic chemistry, and is a careful and accurate analyst. He has shown that he has the capacity for original investigation—his thesis on '*The Conjugated Sulphates of the Copper Magnesium Group*' for the degree of D. Sc. being a piece of excellent analytical work, well arranged, and thoroughly and conscientiously carried out. Dr. W. Dittmar, LL. D., F. R. S. E., L and G., Professor of Chemistry in the Andersonian University of Glasgow, bore the following testimony to Dr. Ráya's acquirements :—

"My not unfrequent visits to the Edinburgh University Laboratory have repeatedly given me the pleasure of meeting Dr. P. C. Ráya and conversing with him on chemical subjects. I have, besides, on two occasions, heard him speak at length at meetings of the Edinburgh University Chemical Society, and I have studied his excellent Paper on Crystal Compounds of the Double Sulphates of the Magnesia series with the closest attention." Dr. Ráya's acquirements in both the theoretical and practical branches of Physics were also highly spoken of by such an eminent authority as Mr. P. G. Tait, M. A., Secretary to the Royal Society of Edinburgh and Professor of Natural Philosophy in the University of that town. Since returning to India, Dr. Ráya has also published a very useful and beautifully illustrated "*Primer of Zoology*" in Bengali, which is calculated to supply a long-felt desideratum in the scientific literature of that language.

Dr. Ráya's original contributions to Chemical Science may be enumerated as follows :—

1. On the Conjugated Sulphates of the Copper Magnesium Group. (*Proceedings of the Royal Society of Edinburgh* for 1888).
2. On the Chemical Examination of certain Indian Foodstuffs, Part I. Fats and Oils. (*Journal of the Asiatic Society of Bengal Part II.*, for 1894.)
3. On Mercurous Nitrite. (*Journal of the Asiatic Society of Bengal, Part II.*, for 1896. pp. 1-9.)

Dr. Ráya's first paper "On the Conjugated Sulphates of the Copper-Magnesium Group" is a lengthy memoir based on the thesis presented by him to the University of Edinburgh for the degree of D. Sc. It was communicated by Professor Crum-Brown to the Royal Society of Edinburgh and subsequently published in that learned body's Proceedings for 1888.

At a meeting of the Asiatic Society of Bengal, held in February 1894, Dr. Rāya read a paper "On the Chemical Examination of certain Indian Foodstuffs. Part I.—Fats and Oils." The author was led to undertake these investigations owing to the gradual spread of a popular belief that, in some of the most important towns of India, many of the common articles of diet, especially *ghee*, butter, milk, mustard oil, &c., are adulterated wholesale; and the present paper embodies the results of his researches in this direction, which were carried on by the author at intervals during the last four years. The following excellent abstract of this paper, which was published in the Bengal Asiatic Society's *Proceedings* for February 1894, is quoted here *in extenso*, as it will give the reader an insight into the complicated nature of the researches carried on by the author: "As butter largely enters into the dietary of the people of Europe and America, abundant work has been done by chemists on its analysis. It is, however, well-known that the composition of the milk and of the butter made from it is, within certain limits, dependent on the breed, climate, method of feeding the cows, period of lactation and so on; the standard for genuine butter, as generally accepted in England, especially at Somerset House, cannot, therefore, always be accepted as a safe guide in this country. The analysis of the fixed oil of mustard, and the various other oils with which it is generally sophisticated, also presents considerable difficulties. Not much work has been done in this field. The history of the substances which have been subjected to analysis is seldom given, and the experimental methods are not generally described in sufficient detail to enable the results to be compared. While the information available is meagre, on the one hand, the results published from time to time are in themselves, in some cases, contradictory. It was thus found to be necessary to work out, in the first instance, a series of *constants*, for such Indian foodstuffs as mustard oil, butter, *ghee*, &c., which might be of some help in deciding cases of falsification. Particular care was taken in procuring genuine samples of substances. The oils were in many cases expressed under direct supervision from seeds carefully selected, so that the purity of the products was unquestionable. A sample of pure mustard oil was also obtained through the courtesy of the Superintendent, Alipore Jail, and another of cocoanut oil from the Officer in charge of Kopra works, Viper Island, Port Blair with a certificate from him guaranteeing its purity and stating it to be a standard sample."

"The preliminary examination of fats and oils is much helped by the application of certain physical tests, *e. g.*, melting point, specific gravity, index of refraction, &c. The work

is at present confined solely to the chemical methods. The determination of the physical constants has been reserved for a future occasion. The fats and oils are simply combinations of certain acids, the so-called fatty acids, *e. g.*, butyric, stearic, oleic, palmitic, &c., with glycerine; hence they have been named the *glycerides*. By estimating the amount of either or both of these constituents of fatty substances, valuable information is often obtained as to their nature. Now, if a fat be treated with an alkali, the fatty acids contained in the former, combines with the latter, resulting in the formation of an alkaline salt, commonly called a *soap*, and the separation of glycerine. It so happens, however, that the molecular weights of some of these fatty acids vary within wide limits. Thus, butyric acid, occurring in butter-fat, has a molecular weight equivalent to 88, while erucic acid, a component of mustard oil, has a molecular weight of 338. A molecule of caustic potash weighing 56 will exactly neutralise 88 parts by weight of butyric acid, or 338 parts by weight of erucic acid. Hence a given weight of butter-fat will require a far larger portion of caustic potash to convert it into soap, to *saponify* it, as it is called, than the same weight of mustard oil. Koettstorfer has made use of this principle. It has, in fact, been found by actual experiments, that while 100 grammes of butter-fat require very nearly 20 grammes of caustic potash for saponification, the same weight of mustard oil requires only 17 grammes of the alkali. The amount of glycerine also will vary in the same manner. Again butyric, caproic, and other *volatile* acids, present in cocoanut oil, butter-fat, &c., may be easily separated from the non-volatile acids by distillation, and their amount ascertained by their potash-neutralising power. Upon this principle is based the well-known Reichert's test. The amount of iodine absorbed by different fats and oils also lies within wide limits. The iodine absorption has been employed with remarkable success by Baron Hübl in deciding cases of adulteration."

The following processes have been made use of:—

1. Direct trituration of the fats and oils by alcoholic potash—Koettstorfer's test.
2. Estimation of the amount of glycerine.
3. Iodine absorption—Test of Hübl.
4. Estimation of the *volatile* fatty acids—Reichert's test,

For convenience of reference, the results obtained are presented below in a tabulated form :—

Nature of fat or oil.	Saponification equivalent.	Glycerine, per cent.	Iodine absorption, per cent.
Mustard ...	172-176	8.5	97.0
Niger-seed ...	190.0	10.8	120
Cocoanut-Oil ...	258.0	.....	6.9
Ghee ...	218-222	.. ..	33.5 39.4
Mowa-fat ...	199.3	.. ..	61.8
Mutton-tallow ...	195.5-206	10.5	.....
Sesamé ...	189.9	....	104.5
Lard ...	195.4	.. ..	50.0
Earth-nut ...	195.0	.....	98.0

It would thus appear that as the saponification equivalents of niger-seed oil, mowa-fat, mutton-tallow, sesamé oil, lard and earth-nut oil are very close to one another, their admixtures in considerable proportions cannot be detected by Koettstorfer's test. Even the saponification equivalent of *ghee* is not far removed from that of lard or tallow. The saponification equivalents of mustard oil and cocoanut oil are, however, highly characteristic. The iodine numbers, on the other hand, afford us valuable hints as to the nature of adulteration, the most remarkable features being the exceedingly low numbers for cocoanut oil, and for *ghee*." The results of the application of Reichert's test will form the subject of another paper.

At a meeting of the Asiatic Society of Bengal, held on Wednesday, the 4th December 1895, Dr. P. C. Ráya read a paper *On Mercurous Nitrite* which has been published in the *Journal of the Asiatic Society of Bengal*.

Although Lefort, Gerhardt, Marignac, and other chemists have been for a long time engaged in the study of the action of nitric acid on mercury under varying circumstances, yet they could not discover or prepare mercurous nitrite, the existence of which was indicated by the laws of chemical analogy. Mercury has been known to yield almost all the different classes of compounds known to chemists, such as sulphides, oxides, sulphates, nitrates, &c., but the nitrite series of the element were found wanting. There is scarcely any information worth the name to be found about mercurous nitrite in Frey's *Encyclopédie Chimique*. Even Roscoe and Schorlemmer, in their well-known treatise, do not so much as mention this compound, nor is there any reference to it to be found in the latest edition of Watt's *Dictionary of Chemistry*. It was reserved for Dr. P. C. Ráya to discover this "missing link"

in the series of the compounds of mercury which had hitherto baffled all the efforts of the European chemists either to discover or prepare. Dr. Ráya describes as follows the way in which he was led to the discovery of mercurous nitrite :—

“ Having recently had occasion to prepare mercurous nitrate in quantity by the action of dilute nitric acid in the cold on mercury, I was rather struck by the appearance of a yellow crystalline deposit. At first sight it was taken to be a basic salt, but the formation of such a salt in a strongly acid solution was contrary to ordinary experience. A preliminary test proved it, however, to be at once a mercurous salt as well as a *nitrite*. The interesting compound promised thus amply to repay an investigation. ”

Method of preparation.—Yellow nitric acid, sp. gr. 1·410 is diluted with water in the proportion of 1 to 3 in a flask or beaker. A large excess of mercury is at once poured into the liquid. The heat of solution of the acid in water helps to start the reaction. A gentle effervescence of gases at once takes place, and in the course of about an hour yellow needles, resembling prismatic sulphur, begin to appear on the surface of mercury. After a few hours the liquid, together with the mercury, is carefully decanted off, and the salt shaken out of the vessel over porous tiles, to remove the adhering mother-liquor.

For purposes of analysis, &c., it is preferable to collect the first day's, or at most the second day's, crops only, partly because minute globules of mercury get entangled among the mass of the crystalline deposit, which it is tedious to get rid of, and partly because the composition of the salt varies on standing in the liquid. Thus it is found that if the salt, instead of being removed, is allowed to remain in contact with the mercury and the mother-liquor, it gradually disappears, and in its place transparent, perfectly colourless crystals are formed, which grow in size with time. These latter will be described under the name of “ Marignac's salt,” which is a basic mercurous nitrate.

Qualitative tests.—The new compound among others answers to the following tests :—

1. Dilute sulphuric acid slowly evolves nitrous fumes : more readily on heating.
2. On warming with a large excess of water, globules of mercury separate out. In the cold the decomposition is only partial.

The *perfectly clear* mother-liquor, decanted off the mercury, gives the following reactions :—

- (a). Boiled with an excess of pure caustic soda solution, it yields a black dense precipitate, the filtrate from which, after acidification with dilute sulphuric acid,

rapidly decolourizes potassium permanganate solution, and instantly sets free iodine from potassium iodide.

- (b). Sodium chloride throws down a copious white precipitate; after removal of the calomel, the filtrate is now divided into several portions; to one is added caustic soda, and a yellow precipitate is the result, another portion, treated with potassium iodide, gives an orange precipitate; whilst a third portion, on addition of chloric and phosphorous acids, yields a further quantity of mercurous chloride.

It is thus evident that in the clear solution we have both a *mercurous* and *mercuric* salt as well as a *nitrite*. Urea does not give the faintest opalescence to the liquid, showing the absence of mercuric *nitrate*."

Much interest attaches to the discovery of this compound, not only on account of its having hitherto baffled all the efforts of European chemists to prepare it, but also because it throws a good deal of light on the much-vexed question of the exact nature of the action of nitric acid on the metals. The place of mercury in Mendelejeff's Periodic System would also naturally justify the expectation that it would yield the analogue of Silver Nitrite, and the present compound is a realisation of it. As a substitute for Silver Nitrite in the preparation of the Nitro-compounds, the importance of this new compound is simply invaluable. There is a very important class of organic compounds called Nitro-bodies (first investigated by Professor Victor Meyer of Heidelberg), of which the only practical mode of preparation has hitherto been by the action of Iodides of Alcohol radicals on Silver Nitrite. As Silver Nitrite is a very costly material, chemists have since long been trying, without success, to find out a cheaper substitute for it. An eminent chemist, Dr. Lasar Cohn, who has made this subject his life-long study, says in one of his latest publications that silver and iodine cannot be replaced by cheaper material, and that a trial with Lead Nitrite was unsuccessful. But what makes Dr. Ráya's discovery of Mercurous Nitrite so highly important is that henceforth Nitro-compounds can be prepared quite cheaply and without much labour by substituting the compound for Silver Nitrite. Dr. Ráya's discovery has been highly spoken of by chemists in Europe. Among others, Dr. Victor Meyer, the eminent Professor of Chemistry in the University of Heidelberg, has been so much impressed with the importance of this discovery that he has recommended Dr. Ráya's paper on the new compound which has been published in the *Journal of the Asiatic Society of Bengal* to be literally translated into German, and printed in the *Zeitschrift für Anorganische Chemie*.

With reference to this newly-discovered compound of mercury, *Nature* of the 28th May, 1896, writes as follows: "The *Journal of the Asiatic Society of Bengal* can scarcely be said to have a place in our Chemical Libraries; the current number, however, contains a paper by Dr. P. C. Rāya, of the Presidency College, Calcutta on Mercurous Nitrite, which is worthy of note."

Dr. Rāya is at present engaged in the investigation of numerous other compounds of mercury, which are of a highly complex nature.

At a meeting of the same Society, held on Wednesday, the 1st April 1896, Babu Jyoti Bhusan Bhaduri, M. A., the Elliott Prizeman for 1895, read a paper entitled *Notes on the Decomposition of Mercurous Chloride and Estimation of Free Chlorine.*" It has, however, not yet been published in the Society's *Journal*.

In Physical Chemistry some original researches were made by an Assamese gentleman—Mr. R. D. Phookan, Ph. D. The results of these investigations were published by him in a German scientific periodical—Mr. Phookan graduated Ph. D. in the University of Heidelberg. The testimonials which he received from Dr. Victor Meyer, the accomplished Professor of Chemistry in the University of Heidelberg, spoke highly of his attainments as a chemist. Dr. Phookan has also made some important researches in a very complicated branch of Physical Chemistry, which goes by the name of Stereo-Chemistry. Of Dr. Phookan's original contributions to science, that "*On the Rate of Evaporation of Bodies in Atmospheres of Different Densities*" deserves more than passing notice. The results of his experiments in this direction showed "that, under the same conditions of heat and pressure, a substance volatilises more quickly in an atmosphere of gas of lesser density than in one of greater."* Dr. Phookan came out to India in the beginning of the year 1895, but, alas! he was not destined to live long and promote the cause of original scientific research in this country. It is with deep regret that we have learnt that Dr. R. D. Phookan died about two months ago in Oudh. Possessed of high scientific attainments, he had a bright future before him, and, had he been spared, would have done much to enrich science by original contributions; but, by his untimely death, a career of great promise has been cut off in the very prime of manhood.

Then I come to the domain of what may be called the Natural History group of sciences, such as Zoology, Botany, Geology (including its collateral science, Palæontology) and

* Vide the "*Report of the British Association for the Advancement of Science*" for 1893, page 72.

Mineralogy (including Metallurgy). Mr. P. N. Bose, B. Sc. (London), F. G. S., Officiating Superintendent of the Geological Survey of India, has earned for himself a widespread reputation by his researches in Palæontology, Geology and Mineralogy. The results of his researches in these departments of science are embodied in the various papers which he has from time to time contributed to the literatures of these branches of knowledge. These papers, of which the majority have been published in the *Memoirs* and the *Records* of the Geological Survey of India, may be enumerated as follows :—

I. PALEONTOLOGY.

- (1). Undescribed Fossil Carnivora from the Sivalic Hills in the collection of the British Museum (with one plate). (From the Quarterly Journal of the Geological Society of London, February 1880.)
- (2). Undescribed Fossil Carnivora from the Sivalic Hills. (From the "Records of the Geological Survey of India," Vol. XIV, Part 3).
- (3). Notes on the History and Comparative Anatomy of the Extinct Carnivora. (From the Geological Magazine, Vol. VII, December 11th, 1880.)

II. GEOLOGY.

- (1). Geology of the Lower Narbada Valley (with a plate and three maps). From the "Memoirs of the Geological Survey of India," Vol. XXI, Part I).
- (2). On the Geology and Mineral Resources of Sikkim (with one map). (From the "Records of the Geological Survey of India," Vol. XXIV, Part 4).
- (3). Notes on the Geology of a part of the Tenasserim Valley with special Reference to the Tenddu-Kamapying Coal-field (with two maps). (From the "Records of the Geological Survey of India," Vol. XXVI, Part 4, 1893).

III. MINERALOGY AND METALLURGY.

1. Note on Lignite near Raipur, Central Provinces. (From the "Records of the Geological Survey of India," Vol. XVII, Part 3).
2. The Iron Industry in the western portion of the Raipur district. (From the "Records of the Geological Survey of India," Vol. XX, Part 4).
3. Notes on the Igneous Rocks of the Districts of Raipur and Balaghat, Central Provinces (with a plate.) (From the "Records of the Geological Survey of India," Vol. XXI, Part 2, 1888).
4. The Manganese-Iron and Manganese-ores of Jabalpur (with two maps). (From the "Records of the Geological Survey of India," Vol. XXI, Part 3, 1888).
5. The Manganiferous Iron and Manganese Ores of Jabalpur (with one plate). (From the "Records of the Geological Survey of India," Vol. XXII, Part 4, 1889).
6. Notes on some Mica-Traps from Barakar and Raniganj. (From the "Records of the Geological Survey of India," Vol. XXI, Part 4, 1888).
7. The Darjeeling Coal between the Lisu and the Ramthi Rivers explored during Season 1889-90. (with one map). From the

- "Records of the Geological Survey of India," Vol. XXIII, Part 4, 1890).
8. Extracts from the Journal of a Trip to the Glaciers of the Kabru, Pandim, &c. (From the "Records of the Geological Survey of India," Vol. XXIV, Part 1, 1891).
 9. Further Note on the Darjeeling Coal Exploration. (From the "Records of the Geological Survey of India," Vol. XXIV, Part 4, 1891).
 10. Note on Granite in the Districts of Tavoy and Mergui (with one plate). From the "Records of the Geological Survey of India," Vol. XXVI, Part 3, 1893).

In his paper on the "Undescribed Fossil Carnivora from the Sivalic Hills in the collection of the British Museum," Mr. Bose has figured and described those fossil species of Carnivora which had been left undescribed owing to the untimely death of Dr. Falconer. Most of these, however, had been figured by Mr. Ford for the "*Fauna Antiqua Sivalensis*," but were never published. This particular group of the fossil mammalia from the Sivalic Hills had not formed the subject of so much close study as the Sivalic Ungulates had done. This latter group of extinct Mammals had been ably described by Dr. Falconer, and, recently, Messrs. Rüttimeyer and Lydekker have given supplementary descriptions of the extinct Ungulates from the Sivalic Hills. But the case with the extinct Carnivora was different. So long ago as 1836, Falconer and Cautley described two of the larger forms of Carnivora under the names of *Felis cristata* and *Ursus sivalensis*. The latter was subsequently raised to the rank of a genus, called by Falconer, *Hyaenarctos*, evidently in opposition to De Blainville, who, under the designation of *Sivalarctos*, placed it at the head of his new sub-order Subursidae. Afterwards Dr. Falconer described another new and very interesting species of Carnivora under the name of *Eukhydriodon Sivalensis*, in the pages of the Palæontological Memoirs. Besides the three species ably and minutely described by Falconer, Messrs. Baker and Durand described the remains of several other extinct carnivorous forms in the *Journal* of the Bengal Asiatic Society. And recently, Mr. Lydekker had described four more new species of the Sivalic Carnivora in the pages of the Records of the Geological Survey of India. To these have been added the following six new species of fossil carnivorous mammals by Mr. Bose, who has so ably and accurately described them in the paper of which the title has been mentioned above:—

1. *Viverra Bakerii*, nov. sp. Bose.
2. *Canis curvipalatus*, nov. sp. Bose.
3. _____ sp. ?
4. *Hyaena felina*, nov. sp. Bose.
5. *Felis* sp. ?
6. *Machærodus palæindicus*, nov. sp. Bose.

He has also therein given supplementary descriptions of the *Hyaena Sivalensis* and *Machærodus Sivalensis* which had been described before by Falconer and Cautley.

Besides describing the new forms of the Siválíc Carnivora, Mr. Bose discussed, in the foregoing paper, the question as to the age of the Sivalic Fauna, and put forward arguments in support of the older view, of the said fauna having appertained to the Miocene Age, instead of to the Pliocene Age as urged by the Geological Survey of India. Mr. Lydekker of the Survey, who had been for some time engaged in describing the Siválíc fossils in the Geological Museum, Calcutta, was thereupon led to criticise Mr. Bose's paper in the Records of the Geological Survey. To these criticisms of Mr. Lydekker, Mr. Bose gave a brief reply, which was published in Vol. XIV of the Records of the Geological Survey of India, Part 3.

In his Notes on the "History and Comparative Anatomy of the Extinct Carnivora," Mr. Bose deals with the dentition, brain and osteology of the fossil Carnivores of the Eocene Period. As the teeth of all the Eocene Carnivores, as compared with those of the typical Carnivora, are apparently more or less anomalous, Mr. Bose tries to establish in this paper that the peculiarities in the dentition of the Eocene Carnivores can be most satisfactorily explained on the hypothesis of its gradual modification from that of some primitive Mammal, the nearest approach to which is the insectivorous *Gymnura*, having its habitat in the Malayan Archipelago. The results of Mr. Bose's researches into the dentition of the Eocene Carnivora may be summarized as follows:—

1. "That starting from the *Arctocyon*, the most primitive Carnivore known to us, we have two divergent series, one comprising *Palaeonictis*, *Amphicyon* and *Cynodon*; and the other, *Proviverra*, *Hyenodon*, *Pterodon*, *Ambloctonus*, *Oxyaena*, and probably also *Synoplotherium*, *Mesonyx*, *Patriofelis* and *Sinopa*."

2. "That the first of these two series approach in the form of their teeth the typical Carnivora, of which they were the ancestors."

3. "That the second series formed an exceptional group of Carnivores, of which *Hyenodon* was the last and most highly organized form."

4. "That the peculiarities in the dentition of the Eocene Carnivores can be most consistently explained by observing the modifications in the dentition of the *Insectivora*."

As regards the brain of the Eocene Carnivores, Mr. Bose has come to the conclusion that the brain cavity of the Eocene Carnivores was comparatively small, and that the structure of the brain in the great majority of them, as made out from casts

either natural or artificial, presented some singular points of departure from the typical Carnivora. He also infers from the form and number of the caudal vertebrae, discovered in some of the forms, that all the genera of Eocene Carnivora had a long and large tail.

During the three working seasons of the years 1880-83, Mr. Bose was occupied in thoroughly investigating the geological formations of the Lower Narbadá Valley between Nimáwar and Káwant. The area of Mr. Bose's investigations was all but virgin soil, untrodden by the footsteps of a geologist. The results of his researches have been embodied in his splendid monograph on this subject published in the first part of Vol. XXI of the "Memoirs of the Geological Survey of India." In this memoir, Mr. Bose has described the undermentioned geological formations of the Lower Narbadá Valley :—

Formations.	
Approximate European Equivalents.	(1). Deccan trap (igneous, mostly sub-aerial) with inter-trappean fresh-water limestone.
Upper Cretaceous.	(2). Lameta (lacustrine). (3). Coralline-limestone. (4). Deola and Chirakhan Marl (Marine). (5). Nodular-limestone
Lower Cretaceous (Neocomian).	(6). Nimár sandstone (estuarine and fresh water?) with oyster band at the top.
Jurassic.	(7). Mahadeva (Upper Gondwana) sandstone (fresh-water). (8). Vindhyan sandstone (lacustrine?) (9). Bijawars, or transition series (marine). (10). Metamorphics (marine).

Mr. Bose studied the fossiliferous and the igneous rocks, especially the former, in greater detail than the older azoic formations.

In his paper on the "Geology and Mineral Researches of Sikkim," Mr. Bose has described the Gneissic Group of Rock and the Dalings, besides the ordinary minerals to be found in that country. With reference to the Gneissic Group, Mr. Bose says : "The rocks belonging to this group are the oldest, and constitute the main body of the Himálayas. From near Kurseong, south of Darjeeling, to the northern frontier of Sikkim, it is uninterruptedly traced over a distance of some 75 miles in a straight line ; whereas all the later rocks—the submetamorphic slate group, the Damudas, and the Tertiaries—together cover an area in the outer Himálayas nowhere more than 6 miles in width. Two forms of the gneiss are met with—(a). In southern Sikkim, approximately south of the parallel of Jongi and Boktolá (about Lat. 27° 25'), the gneiss is highly micaceous and frequently passes into mica schists ; (b) In Northern Sikkim, as north and south-west of Jongi, about Lachung, &c., the gneiss is not quite so micaceous. The

Dalings, which are a group of submetamorphic rocks—so called after a place named Daling in the Darjeeling district, and of which the phyllites form the predominant rock, occur in Sikkim somewhat in the form of a dome-shaped anticlinal.

In his "Geology of a part of the Tenasserim Valley," Mr. Bose has described the lithology, disturbance and age of the Moulmein and the Tendau Groups of rocks, as also the alluvial deposits of the same region. As regards the age of the Moulmein group, Mr. Bose says: "The only rock in the group which has yielded fossils is the limestone. It being highly crystalline, the fossils cannot be extracted without great difficulty. After some search in the neighbourhood of Therabwin, I succeeded in getting together a small collection. It consists of the following well-marked carboniferous forms which have been determined by Dr. Noetling, the Palæontologist of the Survey:—

Schwagerina blanfordi, sp. nov.

Lonsaleia sdalinaria, Waag. and Wentz. sp. indet.

Lithostrotion, sp. nov.

Araepora, cf. *ramosa*, Waag. and Wentz.

Polypora, cf. *biarmica*, Keyserl.

Productus, cf. *Sumatrensis*, F. Römer.

Athyris sp.

Spirifer sp.

Bellerophon sp.

Pleurotomaria, aff. *durga*, Waag.

Murchisonia sp.

Dr. Oldham, who called the group under consideration after the town of Moulmein, met with a similar assemblage of fossils in the limestone at the well-known caves near that place. There can be no doubt of the carboniferous age of the Moulmein group, on the supposition, of course, that the limestone from which the above fossils have been obtained is an integral portion of it. I must say that I have scarcely any doubt on this point, though the evidence is not quite so conclusive as might be desirable."

With reference to the age of the Tendau Group, Mr. Bose says: "The Tendau beds rest uncomformably on the denuded edges of the Moulmein strata. At the boundary, on the western side of the river, the latter invariably dip westward, but on the eastern side they usually dip eastward. Besides, the dips of the younger group are not so high as those of the older. The Tendau group is, therefore, evidently younger than the Moulmein. Some plant fossils (mostly Dicotyledenous) and some fish-remains have been obtained from the shales belonging to the former group. Their exact determination, however, is a matter of the greatest difficulty. All that can be said is, that the age in all probability is tertiary."

Lignite, which forms the subject of his first mineralogical note, was discovered by Mr. Bose in the bed of the Karun river, 3 miles south-west of Raipur, the capital of the Chhattisghar division of the Central Provinces, within the boundary of the village of Bhátágáon. The lignite occurs below the sand, as logs in a blackish, rather stiff, alluvial clay, impregnated with peaty matter. The logs are black, and show woody structure perfectly well. Their length and thickness are variable; those I obtained had a maximum diameter of six inches. The specimens of lignite obtained by Mr. Bose all belonged to Dicotyledonous land plants, of which the jungles enclosing the plain of Chhattisghar are still almost exclusively made up. In the peaty matter associated with the lignite mentioned before, were some leaves fairly enough preserved for identification. Unfortunately those brought away by Mr. Bose had been hopelessly crushed. When more specimens were obtained, exact specific determination would be an easy task. Two specimens of lignite brought by Mr. Bose had been analysed by Mr. Hiralál of the Geological Survey, and the results obtained are given below;—

			No. 1.	No. 2.
Moisture	...	...	21.76	11.64
Volatile matter (exclusive of moisture)	...	...	44.84	52.36
Fixed Carbon	...	...	28.30	30.00
Ash	...	...	5.10	6.00
			100.00	100.00

The results indicate a fuel certainly poorer than coal. But the proportion of fixed carbon is higher than in ordinary peat, and the heating power consequently greater. This lignite, therefore, is of great economic importance, and, if found in sufficient quantity, would furnish a cheap substitute for wood to the residents of the country round about Raipur.

In his "Notes on the Igneous Rocks of the districts of Raipur and Balaghat, Central Provinces," Mr. Bose has discussed at length the mode of occurrence, age and petrography of the felsites, and of the basaltic rocks, as also of the tuffs and volcanic agglomerates which occur in the jungle-clad border country forming the water-shed between the districts of Raipur and Balaghat, and situated north of Dongargarh, and west of Lohara, Gandai, and Khairagarh. They are, as a rule, unbedded; and they alternate with ridges of Chilpi shales and sand-stones which are probably of Transition age. Their general parallelism to the strike of the Chilpis is notable.

In his paper on "*The Manganese-iron and Manganese-ores of Jabalpur*," published in the Records of the Geological Survey of India, Vol. XXI, Part 3, Mr. Bose gave a sketch of

the economic results of the Manganese exploration in the Jabalpur district, and described manganiferous hematite in which manganese is usually present as nests and thread-like veins of *psilomelane*, besides being disseminated in the matrix, and *pyrolusite*, the distribution of which is generally coextensive with that of the Gosalpur quartzites. With respect to the ore-bearing capabilities of this area, Mr. Bose says : " I found that the *pyrolusite* occurred in and among quartzites, which were subsequently found to invariably accompany the Lora group, forming probably its base, and which, for the sake of convenience, I have designated as Gosalpur quartzites. I found, also that the Lora group formed a distinct synclinal just west of Gosalpur, the manganiferous and other Lora strata which crop out here reappearing in the Chakrandha hill, a mile and a half west of Gosalpur, but with the dip reversed. With these clues I traced the *psilomelane* and *pyrolusite* over a rather wide area, included partly in Sihora and partly in Jabalpur Tahsil. But though spread over such a large area, the quantity of *pyrolusite* does not appear to be so great as might be expected. I must observe, however, that none of the localities was searched so minutely as Gosalpur ; and that the present report is to be taken rather as indicating the directions in which *pyrolusite* or *psilomelane* is to be looked for, than as giving an exact, or even an approximately exact, estimate of the ore-bearing capabilities of the entire area."

In his second paper on the preceding subject, published in Part 4 of Vol. XXII of the Records of the Geological Survey of India, Mr. Bose gives, in the first place, a geological sketch of the ground in which the manganese iron and manganese ores occur, and then a summary of the observations made by him on their origin.

In his " Notes on some Mica-traps from Barakar and Raniganj," Mr. Bose has described the petrography of three specimens, all more or less decomposed, of those highly interesting rocks which were collected by Mr. Bose during a short excursion with the Director of the Geological Survey to Barakar and Raniganj towards the end of August 1887.

In his paper " On the exploration of Darjeeling between Lisu and Ramthi rivers," Mr. Bose describes the physical geography and the geology of the Darjeeling coal area, which he was led to explore under the following circumstances: "In 1873 Mr. F.R. Mallet of the Geological Survey was deputed to examine the coal and other mineral resources of the Darjeeling Hill Territory. Mr. Mallet's Survey brought to light a narrow band of coal-bearing rocks in the Sub-Himalayan range stretching from Pankabari to Dalingkot. In the "Memoirs of the Geological Survey," Vol. XI, Part I, Mr. Mallet fully discusses

the workability of the coal seams he came across. The decision arrived at by him, which is very forcibly expressed in a later paper in the "Records of the Geological Survey," is decidedly against the workability of the coal, so very decidedly, indeed, that, coming from one of the most careful observers the Survey has ever had, it was considered final. * * * * * So the Darjeeling coal was given up as hopeless. On the data before him, Mr. Mallet could have come to no other conclusion than what he aimed at. But Mr. Mallet's survey was very general. He had time only to go up some of the principal streams and notice the outcrops of coal that presented themselves, as it were, to him. It is possible that some important ones lay hidden in the intervening areas between the principal streams. Indeed, when it is remembered how thick the jungle is where they occur, and how obscure the sections are as a rule, such a thing appears highly probable. It was this probability, and the immense economic importance of the Darjeeling coal, that led to my deputation to re-examine it last cold season (1889-90). I made a general examination of the area between the Jít and the Tístá, and a fairly detailed one of that between the Lisu and the Ramthi, where the coal seams gave the best promise of success. I must say, when I started work, I had but little hope of finding workable coal. The find, however, of thick seams of cakable coal in the Churanthi valley early in December appeared very promising, and it was considered desirable to ascertain their extent and thickness by excavations. The Government of Bengal was applied to for a grant of Rs. 2,000 for the purpose, which they sanctioned in March. The coal ground, being almost entirely in the Reserved Forest, is covered by very thick, nearly impenetrable, trackless jungle. The exuberant undergrowth of creepers, and the low, matted, dark scrub jungle, especially of cane, presented the most serious obstruction to vision and locomotion. The emanations from decomposing vegetation were at times almost intolerable. I had literally to cut down nearly every foot of my way; and clambering up the innumerable streamlets and watercourses was equally slow and tedious work. To add to these natural difficulties, the Revenue Survey map of the area, though on a sufficiently large scale (2 inches to the mile), is neither accurate nor detailed enough for close work. Many streams are not marked; those that are, it is difficult to say if they are all correctly laid down: several do not certainly appear to be so. Scarcely any landmark was available. One bridle-road passes through the explored area, along the watershed between the Lisu and the Churanthi. But it is not on the map; very likely it was not in existence when the survey was made. There are a few scattered hamlets north and west of the coal

area; but they are not on the map, as they must have sprung up since its construction. So a new map had to be made, which is presented with this report. It is, I believe, fairly correct, and is on a sufficiently large scale to admit of details."

The possibility of coal seams, similar to those of the Lisu-Ramthi area, being discovered in the Damuda area west of the Tístá, the proximity of this area to several existing lines of cart, and one line of railway, communication with the plains; and the fact that a considerable balance was left from the grant made during the previous season by the Government of Bengal were the considerations which induced Mr. Bose to continue further, during the working season of 1890-91, his explorations for coal in the entire Damuda area between Pankhabárl and the Tístá. The results of these further researches are described in detail by Mr. Bose in his second paper on Darjeeling coal exploration published in Part I. of Vol. XXIV of the "Records of the Geological Survey of India." In this paper, he has supplemented Mr. Mallet's systematic treatment of the subject in the eleventh volume of the Geological Survey's Memoirs by describing in brief the geology of the area explored. But the economic results of these Mr. Bose's further researches in the Damuda area, though disappointing, are not altogether devoid of importance, considering that the question about the discovery of workable seams of coal in the area explored, which crops up from time to time, may now be safely said to be set at rest.

In his "Note on Granite in the districts of Tavoy and Mergui," Mr. Bose has described the petrography of that rock as found in those districts. Mr. Bose says that the occurrence of this rock in the districts of Tavoy and Mergui has an economic importance owing to the usual restriction of tin-ore in its vicinity.

Lastly, I have to say something about the labours in the field of Zoology of Babu Rám Bráhma Sányal, Superintendent of the Zoological Gardens, Calcutta. In the year 1892, the Zoological Society of London honoured him by electing him as one of its Corresponding Members, in recognition of his efforts to promote the advancement of zoological knowledge in India.

In the Resolution of the Government of Bengal on the Report of the Committee for the Management of the Zoological Gardens, Calcutta, for the year 1888-89, Sir Steuart Bayley, the then Lieutenant-Governor of Bengal suggested as follows:— "As the Zoological Gardens have now been in existence for 13 years (since 1875-76), it is presumable that many events have taken place among the large number of animals, birds, &c., exhibited from time to time, which would be of interest to the scientific world and to persons interested in zoology.

also that considerable experience must have been gained in the management of animals, birds, &c., in confinement, and their treatment in sickness, which would be of practical use to the managing bodies of other Zoological Gardens and to individuals who have private collections. Sir Steuart Bayley is strongly of opinion that it is incumbent on all persons who keep animals in captivity to avoid, as far as possible, anything like cruelty (such as want of space, or air, proper food or cleanliness) in their treatment, and he recognises that the Zoological Gardens' Managing Committee set an excellent example in this respect. He would venture to suggest that, from the records of the Committee and *the recollections of their able Superintendent*, it would be possible for them to produce a hand-book which might be of great use to the numerous nobles and other persons who, on a smaller scale, keep collections of animals or birds in captivity."

Thereupon a meeting of the Committee of Management was convened on the 2nd April 1890, for the purpose of considering the aforesaid suggestion; and, as the result of its deliberations, it recommended the appointment of a sub-committee for the purpose of giving effect to it. A sub-committee was accordingly formed; and, after mature consideration, it drew up a plan for writing the suggested work. It is on the lines adopted by the sub-committee that Babu Rām Brāmha Sányál, the able Superintendent of the Gardens, prepared under the direction of Mr. C. E. Buckland, C.S., one of the members of the Committee, his well-known *Hand-book on the Management of Animals in Captivity in Lower Bengal*, which was published in 1892. For the purpose of writing this work, Mr. Sányál, as he informs us in the preface, had to prosecute a good deal of original research, in the shape of examining the collection of the vertebrata in the Indian Museum, Calcutta, for the purpose of identifying the little known forms. This work was very favourably noticed by both the European and the Indian press. *Nature*, the leading scientific newspaper of Great Britain and Ireland, reviewed it in the following flattering terms: "Considering the number of Zoological Gardens in Europe, and their long establishment, it is singular that it should have been left to the Superintendent of a Zoological Garden at Calcutta, and to a native of India withal, to produce the first practical hand-book on the management of animals in captivity. The author, who, we believe, is one of the very few natives of British India that have exhibited any taste for natural history, has been for some years Superintendent of the Zoological Gardens at Calcutta, an excellent institution mainly kept up by the Government of Bengal, but under the control of a committee of the subscribers. It is certainly a work

of considerable merit. It is evident that the author has kept a regular journal, and has recorded his experiences very minutely. On the whole, we must allow that this volume is a remarkable production, considering the circumstances under which it has been prepared, and that its author deserves great credit for the pains bestowed on its composition, and for much valuable information contained in it." This work was also very favourably received by the Government of Bengal, which expressed a hope that "the Superintendent of the Gardens should be directed to continue his observations of scientific facts, and his notes on the habits of animals, which must continually come to his notice."

In 1894, the Honorary Committee for the Management of the Calcutta Zoological Gardens was requested by the Municipal Corporation of Bombay to depute some expert to the latter city for the purpose of advising that body in regard to the alterations and improvements to be effected in the management of the zoological collection in the Victoria Garden. The Committee accordingly deputed Mr. Rám Brámha Sányál, C. M. Z. S., the able Superintendent of the Calcutta Garden, to proceed to Bombay. This he did during the month of March 1894, and, after examining the Victoria Garden and considering in all their bearings the questions of the various improvements needed, drew up and published a valuable and interesting "*Memorandum on the proposed improvement of the Victoria Gardens with a view to the formation of a Zoological Garden.*" Mr. Sányál's advice was so much appreciated by those in charge of the collection at Bombay that they have since determined on sending Jehangir M. Doctor, a graduate of the Bombay Veterinary College, over to Calcutta in order to have the advantage of practically studying the management of animals as conducted at Alipur.

Mr. Rám Brámha Sányál's original observations in the domain of Zoology are also embodied in the following papers, which were read before the Zoological Society of London and published in its Proceedings :—

1. Note on a hybrid between the *Semnopithecus phayrei*, Blyth, and *S. cristatus*. (*Proceedings of the Zoological Society of London* for 1893, p. 615).
2. Notes on *Cynogale bennetti*, Gray. (*Proceedings of the Zoological Society of London* for 1894, pp. 296-7).
3. On the Moulting of the Greater Bird of Paradise, with brief notes upon its habits in captivity. (*Proceedings of the Zoological Society of London* for 1895, pp. 541-2).

In his first note, Mr. Sányál has described a hybrid monkey (and, at the same time, exhibited to the meeting a water-colour

drawing of the mother, and of the baby monkey just as it was when it was two weeks old) born in the Calcutta Zoological Gardens of a Phayre's and a Crested Semnote. He says: "I am not aware whether closely allied species of *Semnopithecus* have ever interbred anywhere. They are rather exclusive in their ideas in respect to matrimonial relationship. Anyhow, such an event has just happened in this garden. The Phayre's Leaf Monkey (*Semnopithecus phayrei*, Blyth) has given birth to a young one—a lovely little babe, of a delicate light orange color. As there has been no other male in the same cage except the *S. cristatus*, there is no doubt of the young one being a hybrid between these two species. These monkeys have been living together since 1880, and although they agreed very well, they were never observed to be over friendly. Even now the male does not appear to take any interest in the offspring."

The acquisition by the Calcutta Zoological Garden of a specimen of *Cynogale bennetti*, Gray, from Borneo, enabled Mr. Sányál to have a water-colour sketch made of this rare Bornean mammal while living in the Garden. Mr. Sányál forwarded this drawing, together with some notes about the external characteristics and habits of this animal in captivity, to England, where it was exhibited and the notes read at a meeting, held on the 20th of March 1894, of the Zoological Society of London. He says: "On referring to the literature of the species, I find that the animal has been figured by S. Müller (Zool. Ind. Archipel., Mamm. pl. XVII.) under the name *Potamophilus barbatus*, and by M. M. Eyndoux and Souleyet (Voyage de la Bonite, Mamm. pl. VI.) But a comparison of the present sketch with the figures given by the abovenamed authors will at once show that their figures could not have been drawn from life, and that both are practically useless for the purpose of identification."

In his remarks on the moulting of the Greater Bird of Paradise (*Paradisæa apoda*), recorded in the Proceedings of the Zoological Society for April 1887 (p. 392), Mr. Bartlett questions the accuracy of the statement of Dr. Guillemard, made upon the authority of the inhabitants of the Aru Islands, that the Greater Bird of Paradise "does not wear its adult plumage all the year, and that its beautiful plumes remain developed for not longer than two or three months." In his note on this subject, Mr. Sányál confirms to a certain extent the truth of Dr. Guillemard's statement, and says, as follows:—"I have had opportunities of observing the habits of two adult males of the Greater Bird of Paradise for a sufficient length of time to justify me in stating that, although it is difficult to make the phenomena fit in with our previous notion of the law of moul-

ing in birds, it is nevertheless the fact that my observations regarding the moulting of this bird, extending over a period of four years, go to show that there is some truth in Dr. Guillemard's statement.

In January 1891, the Zoological Garden, Calcutta, was fortunate in having presented to it a male *Paradisaea apoda*, from the Aru Islands. It was then in perfect adult plumage. By the middle of February following, I noticed that the bird was every now and then pecking at the feathers of its lower back, which was much dishevelled. Suspecting something wrong, I consulted Mr. William Rutledge, an experienced dealer in live stock at Calcutta, who had owned the bird for about two years previous to its acquisition by the Garden. He assured me that there was nothing wrong, but that the bird was beginning to moult. It went on throwing off its feathers slowly at first, but rapidly as the period of moult advanced, so that by the middle of May, it had cast off all its beautiful side-plumes and tail-feathers, except the two central wire-like ones, which fell off later on. The short, close, velvety feathers of the head, neck, and throat were the last to fall off, by the end of July, and the first to re-appear a few days later. The bird did not, however, assume its perfect plumage until about the middle of October. With slight variations as to time, it has, every year since its arrival in 1891, been observed to remain more or less in undress, as it were, during the unusually prolonged period of moulting. During the current year it began throwing off its feathers early in February, and now (May 7th) not one of the long beautiful plumes is left. The two long wire-like central tail-feathers have not fallen, but are broken off at the middle.

In January 1892, another male bird of the same species, but said to have been from the southern part of New Guinea (and possibly, therefore, referable to *P. papuensis*), was acquired by purchase. It was slightly smaller and a little brighter in color than the Aru-Island bird. During the two years that it remained alive, its moulting habits were carefully observed and found to vary somewhat from the other bird. Briefly speaking, it did not begin throwing off its feathers until the summer was somewhat advanced, and took less time to complete its moult than the Aru-Island bird."

It will thus be seen from the review which has been made above that Indian Scientists have made some contributions, however humble, towards the advancement of scientific knowledge. The beginning which has been made is indeed very small, but it betokens a future of great promise when natural and physical sciences, instead of being the intellectual speciality of Western civilization, will become the favourite

pursuits of Indian youths. The work that has already been done in the field of scientific research by Indian scientists is all the more deserving of credit, considering that it has been done in the face of so many difficulties and drawbacks. It may be true that Indian youths may be encouraged to betake themselves in larger numbers to the prosecution of original research in the domains of the physical and the natural sciences by the offering of rewards similar to the Elliott Prize in connection with our Universities, Scientific Societies, Colleges and other bodies, and for the holding of which there should be the necessary condition that the holder will have to carry on original work in some branch of science and publish the results thereof in the shape of dissertations. But it is my firm conviction that, should more substantial rewards than mere prizes and fellowships be offered, in the shape of appointments in those departments which are maintained by the Government chiefly for carrying on scientific research, but which are unfortunately almost exclusively officered by Europeans, Indian youths will be encouraged to betake themselves in larger numbers to these scientific pursuits. It goes without saying that exclusive devotion to scientific study and the prosecution of original researches in the field of science offer no openings to Indian youths, whereas these pursuits hold out in Europe avenues to employment in the public service and facilities for the earning of a livelihood which do not exist here in India, especially for the Indians. There are liberal endowments in almost all the countries of Europe offering premia for the encouragement and promotion of the higher work and thought in the domain of the physical and the natural sciences, whereby persons who have devoted themselves exclusively to the study of a particular branch of science are amply remunerated and, thereby, enabled to eke out their living comfortably. It will thus be seen that a specialist in science can carry on scientific investigations in Europe without fear of either starving himself or his family, but such is not the case in India, especially with the children of the soil. The people of India are, generally speaking, poor, and have to earn their daily livelihood in competition with a people the wealthiest in the world, whom Destiny has also made the arbiters of their fortunes. Under these circumstances, if an Indian youth devotes himself to the study of science only, to the exclusion of the other bread-and-butter-winning branches of learning, it is ten to one that he will have to starve for want of remuneration, nay, for want of the wherewithal to satisfy the cravings of his inner man, considering that there is no avenue open to him for employment in those departments of the public service which are maintained by the Government.

exclusively for the prosecution of scientific investigations, and which are, therefore, carefully kept as a close preserve for Europeans and Eurasians. It will thus be seen that the general poverty of the Indians is also to a great extent responsible for their disinclination for all higher work and thought in the domains of the physical and natural sciences.

It is, no doubt, true that within the last decade or so the Government of this country has done much towards affording facilities for the imparting of scientific education to Indian youths. It has endowed a chair of geology in connection with the professorial staff of the Presidency College, Calcutta, and funds have been provided by it for developing the physical and the chemical laboratories that exist in connection with that institution. What has already been done may be taken as an indication of a sincere desire on the part of the Government to do more in the near future for fostering scientific education in this country and for placing it on a sound and systematic basis. But, in spite of what has been done, much more still remains to be done to bring scientific education, as it exists in this country, on a par with the lines on which it is imparted in Europe. For instance the only institution where Zoology and Botany, which are two of the principal branches of Natural Science, are regularly taught in the Bengal Presidency, is the Medical College of Calcutta. But even there, too, the teaching of these sciences is limited to just so much as is required for the professional purposes of the medical students, and is not accompanied by any laboratory work worth the name. Should the benign Government which sways the destinies of the teeming millions of India, see its way to endow chairs for teaching Natural Science in all its branches in connection with some of the leading educational institutions of this Presidency, and throw open the subordinate curatorships in the Museums and the Botanical Gardens, and the sub-assistantships in the Geological Survey, not only in Bengal but throughout India, and afford other facilities for the study of science, and hold out other premia for encouraging Indian youths to betake themselves in larger numbers to these pursuits, the Indians will, ere long, like the modern Japanese, take a leading place in the scientific world.

SARAT CHANDRA MITRA.

ART. VIII.—INDIAN UNIVERSITIES—ACTUAL
AND IDEAL—II.

THE practical conclusions which it was hoped might shape themselves more or less definitely from a former paper under this heading (*Calcutta Review*, April 1895) were briefly these :—

1. University education in India has, relatively to present conditions, been allowed to grow too rankly. It has spread widely with little regard for efficiency. It has too great breadth and too little depth. Quality has been sacrificed to quantity.

2. To this lack of a sufficiently high standard is largely due the disappointing character of the results of English education, and possibly also the tone of disparagement, and even hostility, in which Indian Universities are sometimes spoken of.

3. It is an urgent necessity to unite the efforts of all concerned upon remedying existing shortcomings ; that is to say, it is expedient, for the present, to check rather than encourage further expansion of College education, and to devote our whole energies to improving that which exists. We now need an era of concentration.

Incidentally, also, I intended to suggest that the best education is necessarily costly, and must everywhere be, for some of those who enjoy it, a matter of pure benefaction. Englishmen, at all events, should not be surprised to find this the case in India, since liberal education is still more expensively endowed in Great Britain, though the mode of endowment is different. Severe criticism of the amount of public money spent on higher education in India is, therefore, to be deprecated.

My present purpose is to enforce more directly the first three of the above propositions, by passing in review certain points in regard to the Indian University as it is which seem specially open to criticism. Moreover, by way of set-off to possible errors in the opposite direction in what went before, I promise henceforward to be severely practical and to touch only upon matters in respect of which change in the present or near future is plainly possible. With the same practical aim, I shall confine my criticism to the University of Calcutta. It is justifiable to do so, on the ground that there is a strong family likeness among Indian Universities, and, though there are some not unimportant differences in detail, the pattern on which they are organised is, broadly speaking, the same. I shall notice some points of difference as occasion arises.

One more word of explanation is called for at the outset, I

shall speak of College and University as if they formed one coherent whole. This is not strictly true ; but they are closely connected enough to justify this mode of treatment, which is, indeed, necessary. How far it is inaccurate, I shall point out later on, noticing at the same time certain peculiarities in the mode of connexion between the two.

Prevalent criticism of the Indian University, regarded as a complete scheme of education, is reducible, I think, to two main counts :—(1) the education is one-sided, for it attempts to be intellectual only ; (2) even on that one side the education given is superficial and unreal. The latter, as the simpler and more technical matter, will be conveniently taken first.

The gravest indictment of our system from the purely academic standpoint I conceive to be (*v. Calcutta Review*, April 1894) that the mere difficulties due to an imperfect knowledge of English make it impossible for the average student to derive any real profit from the courses of study prescribed to him. A certain percentage pass examinations, it is true, but too many of these even, it is to be feared, more by painful industry and sheer effort of memory than through sound understanding and firm and cheerful grasp of their work. I have already committed myself to the opinion that the real key of the situation is to be found in the High English schools, and until the standard of these schools can be effectively raised, there is little to be hoped from other expedients. I must here content myself with repeating this conviction emphatically. If our College education is to be made of real value, we must first considerably raise the standard of the schools from which our students are drawn. But, though the teaching of the schools does not come directly within the scope of University regulation, a matter closely related thereto does—the fixing of a standard qualifying for admission to the affiliated Colleges as we call it in Bengal, the Entrance Examination.

Now, if we consult the University Calendar and note the requirements there laid down, we can hardly describe the rules as on the whole setting the standard too low. A knowledge of English and of one other language, Arithmetic, elementary Algebra, four books of Euclid, with a general knowledge of history and geography, would seem an exacting enough demand on the intending College student. Yet it fails in one important particular ; it fails as a due test of the capacity of the scholar to profit by the courses of study on which he is to embark, if successful. For he will have to study in English, and this implies a ready familiarity with English spoken and written. In theory such a test is applied. Experience seems to prove that the test is insufficient. For here we are brought face to face with the peculiar difficulty of higher education in India.

In English a *minimum* proficiency will not suffice as in other subjects. We must have something like a real mastery from the beginning : otherwise all our pains are likely to be thrown away in the years of study which are to follow. All our future teaching will be conducted in English, and however widely we throw open the portals of the University to aspirants, the key to the inner door of knowledge is lost to him, who does not understand English. Our Entrance or Matriculation Examination ought, then, to be regarded mainly as a test of a capacity to take up University studies in English, a real test of English scholarship, or rather of a reasonable facility in understanding and writing English. The Calcutta University—the other universities agree in this—shows an appreciation of this point, in so far as it exacts a higher percentage of pass-marks in this subject than in others. The Calcutta regulations indicate also, with entire rightness, that English grammar and composition should be studied by Entrance students more with a view to be able to *write plain English correctly* than with a view to learn the philology of the English tongue (Calcutta University Calendar, p. 27). This is of the essence of the matter, if we hold firmly to it. But it is not all ; and, if we go on to examine how this vital end is to be secured, we do not find the safeguards adopted altogether satisfactory. For the percentage of marks which is set down as constituting the required proficiency in the English language is 33 out of 100 (Calcutta University Calendar, p. 122).

Now this third part of an approximate capacity 'to write plain English correctly,' I submit to be totally inadequate, at all events if papers of the right kind are set. Our examination ought to be a *strict* test of the sort of capacity we want for our purpose. We do not want a command of rare idiom or refinements of style ; we want grammatical soundness and a certain facility in dealing with ordinary straight-forward English. But so far the test must be strict. We want, in fact, a strict test within well-defined limits, not a high test. The capacity we want would, I believe, be best secured by *easy papers and a relatively high percentage of pass-marks*. I would have the percentage of pass-marks, in fact, not less than fifty : with the right sort of paper, I am not sure whether it should not be sixty or seventy. For what we *must* have is *real* knowledge up to a certain standard, the essential groundwork for understanding common literary English. It is of the utmost consequence that the knowledge, as far as it goes, shall be sound and exact, not a nice blend of accuracy and inaccuracy. 'Howlers,' *i.e.*, gross mistake in ordinary idiom, should be reckoned as fatal here as they are in Public School Latin prose, or in dictation for Civil Service clerkships. In scholarship bad idiom

is worse than complete ignorance. And what precisely we are producing at present in India, is a most pernicious fluency in bad English, to the entire confounding of all distinctions of right and wrong. Now we actually find that at Calcutta half marks entitle to a place in the First Division ; 40 to a place in the Second. (Calcutta University Calendar, p. 122). This is worse and worse. The rule does, indeed, apply to the aggregate, but it seems to suggest that a first-class proficiency in English may be similarly estimated at a knowledge nicely balanced between correctness and incorrectness, half-right and half-wrong. What we require, however, is a knowledge of a certain kind, which shall be wholly right, with just such an allowance for deficiencies as is a reasonable concession to human imperfection.

Of course, I am supposing papers which shall be a test of just what is essential and nothing more, not, as the University Statutes warn us, of philological erudition, or of literary proficiency, but a plain test of the power to understand and to write English. The paper that will do this fitly will be something of a work of art. But it ought not to be an impossible achievement to the trained faculty of the professional teacher of English. This much may, I think, be safely affirmed, that the questions will lie in the sphere of the familiar and ordinary, not of the rare and difficult. They should clearly be directed towards the points, on which the average Indian student is weak ; in brief, to make use of a well-understood, if somewhat invidious, expression, to the correction of " Babu English." The use of the article and the choice of prepositions are notably such. I incline to the view that the test should be in grammar and translation only, apart from set books. This is the practice in the Punjab ; but by all the other Universities text-books are prescribed, and no doubt the text-book is indispensable for teaching purposes. We must throughout keep in mind the all-important practical end which our examination must subserve, reading English intelligently and writing English grammatically. If the paper we set before the candidate provides this test and no more, what I here maintain holds good, that 50 out of 100 would be a low rather than a high percentage of pass-marks.

The principle for which I am contending in regard to the method of marking in Pass examinations is of wide application, by no means confined to the Entrance Examination or to Indian Universities. I am convinced that, generally speaking, for ordinary Pass examinations relatively easy papers and a high standard of pass-marks make a better test than hard papers and a low standard. Precisely the opposite principle has been followed by the Calcutta University (and in India

generally) ; and, as this (I conceive) cardinal error will haunt us throughout, it is worth while to state briefly the reasons for the view here taken.

The grounds on which I believe in easy papers are the following : (1) We want, in the case of a Pass examination, a test of what everyone ought to know. Now, easy questions chosen with judgment are the best test of the grasp of the essentials of a subject ; (2) Comparatively easy questions are in most cases better calculated to defeat ' cram.' For ' hard passages,' stiff problems and difficulties generally, are comparatively few in number and can generally be ' got up ' by a special effort of memory. Things easy and obvious are indefinitely numerous. Those who have the required amount of sound knowledge, answer them, those who have not, fail to do so ; (3) Relatively, easy questions sift the deserving from the undeserving more surely. Hard questions are apt to be a kind of lottery. The ill-taught may, by good luck, have picked up something about them, the better-taught by ill-luck have chanced to pass them by. If the questions are confined to matters which every qualified candidate may be expected to know, this ' cannot happen. Those who are fit to pass, know them all ; those who are unfit, cannot escape detection.

Further, a moderate length of paper is to be considered a part of the required easiness. Calcutta examiners have too often erred *criminally* in this respect. An excessively long paper exaggerates all the faults of unduly hard questions. (1) Every answer has to be written hurriedly, and the examiner must, in reason, take the hurry into account. This tends to the admission of a slipshod standard. (2) The candidate whose knowledge is thorough, has no time to show it, and so is reduced more to a level with the candidate whose knowledge is thin. (3) All the work shown must be hasty and poor in quality. The candidate knows this beforehand, and that he will only have time for sketchy answers, written down at lightning speed, and so gets up his subject according to the most approved methods of cram. The expectation of this type of paper act disastrously on the student's whole course of preparation.

These assertions are all, unavoidably, somewhat vague. The points I contend for may readily be misconceived. The suggestions made are to be interpreted with some degree of latitude ; they must be understood as tendencies, not as rigid rules. The particular vice of undue length is exemplified, as far as regards the University of Calcutta, only, or mainly, in the case of B. A. English papers. An examination paper is, as I have said, a work of art. The perfect achievement carries conviction with it. It is almost impossible to lay down rules.

Coming back once more to the test of English in the Entrance Examination, we want a paper of such moderate length, that a candidate of fair intelligence may be expected to work through the whole without undue hurry in the time allotted. The questions should be of such a nature that a properly qualified candidate may be expected to answer *all* with approximate correctness. As a concession to present usage, I would be content with a minimum of 50 as pass-marks. In reality, I believe it should be nearer 75. The qualification by which the suitability of the questions is to be determined, is the ability to write simple English accurately, this being taken as an indication of fair ability to read ordinary literary English with profit. There are strong reasons in favour of a *viva voce* test in English. Unfortunately, the practical difficulties in Bengal are almost insuperable. An oral test in reading English forms part of all Punjab examinations in which English is a subject, and ten marks only are assigned to it. I would rather have a more general *viva voce* test and a fixed minimum for passing. It would be interesting, at all events, to know how the plan is found to work at Lahore. The great number of candidates and the multiplication of centres for examination make it very difficult to conceive how an oral test could be applied in Bengal.

It is not easy to overstate the importance of the Entrance Examination, and I make no apology for the space I have given to its discussion. Rightly employed, it is the pivot of our whole system of higher education. On the one hand, it determines the quality of the material which is to form our College classes. The whole value of our College teaching turns upon the efficiency of the test we apply. Lectures delivered in English are of little use unless those who listen to them have enough knowledge of English to follow them readily. It is our business at once, in the interests of the Colleges and of each individual student, to make the standard high enough to ensure this. At present we scarcely do so. There ensues a whole train of undesirable consequences. On the other hand, the standard of the Entrance Examination influences the teaching of the schools. The school teaching will obviously be moulded a good deal by the character of the highest test for which it prepares. If we secure the right sort of test, we have done something to promote the right sort of teaching. Hence the extreme importance of the type of paper set.

The imperfect knowledge of English with which Indian students begin their College studies is, I believe, the main cause of the poor results of University teaching complained of. It is not by any means the only cause, but it is so much the chief cause, that, until it is remedied, nothing can be

hoped from other attempts to make College teaching more thorough. It is absolutely fundamental. While the present state of things continues, the labour of College teaching must necessarily be Sisyphean ; a task of the Danaids ; a kind of making bricks without straw. I shall, however, for the sake of completeness, pass on briefly to such points in the College course as seem to have some bearing on the general issue.

If we could assume the existence of a satisfactory Entrance test, this would be a simpler matter. All the stages of University instruction must be connected, and, as far as possible, be so adjusted as to form a continuous course of mental training. The Indian Universities agree in requiring at least two further examinations between Matriculation and the Bachelor's degree—one general, the other somewhat specialised. In the Calcutta University the first is known as the F. A. (First Arts) Examination, the second as the B. A. Taking things as they are, we are seriously hampered by the consciousness that fully one-half of our students come to their courses of study with a very inadequate outfit. Bearing this in mind, as we are here bound to do, there can be little doubt that, at Calcutta, at all events, the F. A. Examination is too difficult. Its severity consists, not in the actual difficulty of the papers individually, or in the degree of proficiency required in any one subject, but in its comprehensiveness, the mass and variety of the matter taken up. So viewed, I regard it as one of the severest examinations I know of. The mere statement of the ground covered will, I think, bear me out. For the Calcutta First Arts Examination, there are six distinct branches of study prescribed ; English, a second language, Mathematics, elementary Physics and Chemistry, History and Logic. I submit that this is in itself a formidable list. When we note further that in English six text-books are prescribed (for the year 1898 the number is reduced to five, which is a move in the right direction), none of them easy to the average scholarship of our students ; that the Mathematics include five books of Euclid and Trigonometry, besides Arithmetic and Algebra, and that the history is the general history of Greece and Rome, I think it is clear that our student has his work well cut out for him in his first two years of College life. How then do students pass at all ? The explanation is that the standard is absurdly low. A 'pass' is secured by 30 per cent. in the aggregate (less than one-third marks), with a minimum of the same percentage in English, of 25 per cent. in Mathematics and the second language, and of 20 per cent. in Physics. Here, I maintain, the standard is as ridiculously below the mark as the above formidable array of subjects is excessive.

The Allahabad University separates A and B courses, which

is sound, if we must needs cover this whole extent of ground. Bombay provides two examinations in the first two years, a Previous Examination and an Intermediate or First B. A., which together have much the same range as the Calcutta F. A., but divide the work into two stages. This has the advantage of relieving the student's brain from the weight of so large a mass of multifarious learning at one time : it has the disadvantage of multiplying examinations, the burden of which is apt to tax the resources of Universities, which have not an unlimited field of qualified examiners to select from. At Allahabad the number of distinct subjects in each of the two courses is five, instead of six. In fact, all the other Universities are more moderate in this respect than Calcutta. At Madras there are five subjects, English, second language, Mathematics, History and *either* Physiology or Physiography ; at Bombay *four* subjects, English, a classical language, History and Political Economy, with a choice of one out of six other subjects. The Punjab University requires three fixed subjects, English, a classical language, and Mathematics, and one further elective subject, with a choice of four. The two alternatives at Allahabad are respectively, the one—English, Mathematics (elementary), Deductive Logic, a classical language and either History or more advanced Mathematics ; the other—English, Mathematics, elementary and advanced, Deductive Logic, a classical language, and elementary Physics and Chemistry.

Any of these schemes is preferable to that of the Calcutta University. Having regard to the wisdom of aiming at sound, rather than at varied, attainments, at a little well-known, rather than at much half-known, it would be well to restrict still further the amount of knowledge required in this examination. A differentiation of alternative courses, as at Allahabad, is one possible method. There is some thing, however, to be said in favour of reserving even this degree of specialisation in a Pass School to a later stage. This matter is closely bound up with another—the distinction of Honour courses and their partial or complete separation from the Pass course or courses. The want of suitable Honour courses is the second great defect of the Calcutta examination system. Now, the reason for the separation of Honour from Pass courses—one reason at all events—is that between the brain faculty of one young man and another, even when both belong to the educated classes, there is a great gulf, which one course of study and one and the same of examination paper cannot fitly measure. The difference of degree in capacity almost amounts to a difference in kind. This is the case in England, Scotland, and Ireland, and, as far as my experience goes, it is the

same in India also. If you take the ablest and the least able of our Indian undergraduates and lump them all together in one class and proceed to lecture to them collectively, you must either fritter away the time of the more intelligent, by regulating your teaching by the capacity of the duller-witted, or else you must be content to leave the slower minds behind entirely, with the result of rendering their attendance in the class-room superfluous. In all probability, if you have to face the problem practically, in the endeavour to strike a happy mean, you more or less fall into both errors and at one and the same time succeed in boring your cleverer pupils and in effectually bewildering the more stupid. Now, separate Honour courses afford a partial, if not a complete, solution of this difficulty. The wide difference of mental calibre exists; and, though no expedients will meet all degrees of intelligence perfectly, and all lectures and courses of study are probably a hindrance rather than a help to genius, something may be effected by a wise system of Honour courses. The genius is so exceptional a portent that he can be left out of the account. We require a limited Pass course for average ability, and we want an Honour course of quite a different kind for superior ability. Superior ability may be taken to mean a decided bent toward things of the mind, making intellectual pursuits easy and pleasant. Ordinary ability implies the absence of any such special tendency, and, in consequence, a greater or less difficulty in passing all examinations. A rough differentiation of minds into two classes, those which have and those which have not this facility, begins at school and goes on pretty consistently through life. Varieties of mental power are without doubt infinite, and no hard and fast line can be drawn; but we, at all events, gain something by recognising this broad division. Now, the Calcutta University does recognise this difference and does offer the opportunity of taking up Honours. The complaint is merely that it does not do so sufficiently. The objections I have to offer are two: (1) the separation of Pass and Honours begins too late; (2) the separation is not complete enough.

In the Calcutta course Honours can be taken only in the B. A. Examination. I mean by this distinct courses of study. The successful F. A. candidates are arranged in three divisions, which discriminate somewhat relative ability; but the work offered by all is the same. This means, then, that, for the first two years of their College career, the better students are held back by enforced attendance at Pass lectures innumerable, lectures necessarily adjusted to the moderate intelligence of the essential Pass mind. There is another inconvenience also. Not to speak of other varieties of apti-

tude, one mind has a natural bent to Mathematics and the exact sciences, another to literature, philosophy and history. These, for two most important years of their education, are forced into precisely the same groove, for they cannot, as at school, get promotion according to the progress they make; they must plod on with the dullest at both branches of study equally, notwithstanding the possibility that one or other requires less than half the time given to it. The student to whom the Pass course in Mathematics is mere child's play must attend the full course of lectures equally with one who delights in matters literary, but finds the difficulties of elementary mathematics all but insurmountable, and *vice versa*. Combining all these considerations, what I would advocate is this: I would have a general Pass course, with separate Honour courses as an alternative. The Pass course should comprise English, another language, Mathematics and either Logic or History, or some subject of the kind. The Honour courses should be two, and two only,—one literary, the other mathematical. The former should consist of a distinct and much fuller course of English, more advanced papers in some classical language, with an alternative special subject, such as Logic, Psychology, or Political Economy. The latter might consist of English, advanced mathematics and a choice of Physics, Chemistry, or Logic. The subsequent B. A. Examinations would then be carefully co-ordinated in correspondence with this scheme. There should first be a Pass degree admitting of some variety of specialisation. The range of subjects might well include, as now, English languages, Mathematics, History, Philosophy and Science. Three subjects should be required of all candidates, English being necessarily one of these; for the second there should be the choice of Mathematics and another language, for the third a choice of History, Philosophy, or Science. Honours should be obtainable in at least four branches of knowledge, (1) Literature, (2) Mathematics, (3) Science, (4) History and Philosophy. Literature should include English and one other language. The sciences would require some appropriate grouping. In History there might be a choice of ancient history, mainly Greece and Rome, and modern history, mainly India and England. The Philosophy going with this, or possibly constituting a fifth and separate school, should be mainly, I hold, the outlines of Greek Philosophy and a thorough study of the beginnings of modern speculation, from Descartes to Kant, with a first-hand knowledge of the leading books that mark definite steps in the succession of thought. This makes probably the best foundation for the larger study of modern philosophy. The outlines of Hindu philosophy might, perhaps, at choice, be substituted for Greek.

The M. A. system in India is well-devised, though I would rather see a good system of B. A. Honours in its place. The multiplication of examinations is a doubtful good. As things are, the M. A. degree furnishes the only existing test of really advanced studies, in more special directions. All the Universities have an admirable scheme in their regulations, as regards both comprehensive range and judicious sub-division. In English more might be done, I think, to make this examination an efficient Honour School of English literature. Instead of a long and miscellaneous list of books and authors drawn from the whole range of English literature, it would be far better to appoint periods for special and thorough study, either a choice of periods yearly, or a succession of periods for different years in rotation. Thus, one year we might have early English Literature (Chaucer and his successors), the next the Elizabethan age, and so on. Particular books should also be specially prescribed within these periods. This would surely be better than a medley of books by authors of all periods, selected on no very obvious principle. We should be making possible, if not actually creating, in India, a school of original research in English literature. The special period would, of course, go along with a general knowledge of the History of English literature and languages. And why, by the way, the limitation of the M. A. degree in English to candidates whose vernacular is not English (Calcutta University Calendar, p. 40)? In view of the agitation for the recognition of English literature in English Universities, it seems a little superfluous.

The chief suggested changes in the Calcutta Examination system are, then, the following:—(1) Higher pass-marks for English at the Entrance Examination; (2) Reduction of the number of subjects for the F. A., along with an increased minimum percentage; (3) Distinct Honour courses for the F. A. and greater distinctness in Honour courses for the B. A. These I regard as needful alterations and as practically possible at the present time.

These measures would, I believe, tend all of them to the promotion of sounder learning, and do something to remove the reproach of the thinness and unprofitableness of its results under which the Calcutta University, in common with the other Indian Universities, at present labours. The higher pass-marks, in particular, would strike directly at the educational arch-enemy—that fetish of the Indian student in the present twilight of his understanding—cram. In the four letters of that inelegant but forcible word is contained the great stumbling block in the way of right learning, as far as the practical work of Indian Colleges is concerned. But, for the nonce, the chief

remedial efficacy rests, I think, with the Examiners. The evil has gone very far, and it becomes a matter of prime importance that, both in setting and in looking over papers, examiners should make it their first object to cope with it. Questions must be worded with a view to defeating cram. The examiner must consciously keep before his mind the duty of using what dexterity he can for the express purpose of detecting and circumventing cram. If it were once brought home to the student mind that 'cramming,' at all events in the gross form prevalent, 'did not pay,' because examiners, on principle, refused to give marks to mere unacknowledged quotations from published summaries and other obviously dishonest work, that, consequently, students who trusted to their power of learning by rote, not by understanding, generally failed to pass—if this conviction, I say, were once to get abroad, it would do more than any other external measure to cure this disease of sham knowledge with which our Universities are said, I fear, only too truly, to be afflicted. But, I believe, this question to be so much a matter of the 'ethos' of our whole educational system, that it will come up for fuller discussion later on.

So far, all has come clearly within the province of the University as an institution for holding examinations and conferring degrees. We are now brought to what is peculiar, and perhaps anomalous, in the position of the Indian University. The Calcutta University is, strictly speaking, an examining University only. It does not itself undertake teaching. Yet it does, to a certain extent, regulate and control the teaching of the Colleges, through the system of affiliation. Thus (with the special exception of school-teachers) it makes a course of study at an affiliated College a condition of appearing at the F. A. and B. A. examinations, and it prescribes also the length of time during which such studies shall continue. On the other hand, the authorities of the College, as such, are altogether outside the University. They consist, variously, of officers of the Education Department under the order of the Director of Public Instruction, of gentlemen representing Missionary Societies, or appointed by local committees, the proprietors of private colleges together with those whom they employ. All these are alike free from the direct control of the University, and, conversely, they have not necessarily any voice in the decisions of the University. The University is a self-governing corporation: its ultimate authority is the Senate, or whole body of Fellows, with its Chancellor and Vice-Chancellor. The executive is, for ordinary purposes, vested in a much smaller body, the Syndicate, while special departments are controlled by Faculties and Boards of Studies, all these being so many committees appointed by, and from, the Senate. As

a matter of fact, a good many College professors are also Fellows of the University ; many act as examiners ; the Director of Public Instruction may happen to be also Vice-Chancellor ; but there is no necessary connection between the two functions of College and University ; these remain distinct institutions under separate management. In going on to speak of matters which concern rather the Colleges than the University, the appeal is no longer to the University as such, but to the various aforesaid governing bodies or persons. These authorities are of several kinds, corresponding to the status of the various Colleges, Government Colleges, Missionary Colleges and private institutions, whether State-aided or not. It will suffice if we confine ourselves to the Government Colleges directly managed by the Bengal Education Department ; for these, as vastly the most expensive, ought to set an example, and it is for these alone that Government is directly responsible. Three points call for notice—fees, attendance and the ordering of terms and vacations.

I incline to the opinion that fees in Government Colleges, other than the Presidency College, Calcutta, should be raised. There would probably be a falling off in numbers, at any rate at first ; but if, as might be hoped, there were a gain in comparative efficiency, the loss would be more than compensated. The better students would stay. If the result were, on the whole, to raise the standard of efficiency in Government Colleges, it would be quite in accordance with the principles with which we set out. The mere decrease in number might then be even regarded as an end to be desired.

The attendance rules fixed by the University do not in all respects work well. The proportion of attendance for admission to examinations is two-thirds of the lectures given (66 out of 100). Now, if a lecture course is of any value at all, it is of great importance to attend the whole course throughout. Otherwise, the thread of connexion is broken, and possibly the rest of the lectures lose much of the usefulness they would otherwise have had. Conceivably, it is better to leave the student to choose for himself whether he will attend lectures or not, according to his judgment of his own advantage. But, if we are to have any compulsory attendance at all, the percentage fixed at present by the University is insufficient. These things are in India a matter of progressive education, and the rule was, no doubt, a great innovation, and is a real advance on complete license. The question is only whether the times are not ripe for setting the standard higher. A requirement of 75 per cent., as at Allahabad, is better, but still not enough. We really want attendance at practically the whole course, with merely a small allowance of 10 or 15 per cent. to cover casual absences. In

that case, of course, special leave would have to be granted on medical certificate, and in some other cases, at the discretion of the lecturer, or of the Principal of the College. There are difficulties and inconveniences, no doubt, which the existing rule avoids; and I do not, without compunction, advocate a new worry for College Principals and Professors. But in one way the rule, as it now works, is even positively harmful and misleading. It tends to promote a tacit understanding that an attendance of two-thirds constitutes the whole duty of a student as regards the lectures of his College. Students are countenanced in clinging to the habit of absenting themselves from College at their own good pleasure. Classes tend to assemble in a somewhat casual manner and to dwindle away toward the end of the year, as student after student completes his percentage. We want a sharply-defined course of lectures, beginning and ending at the same time for all; and we want to claim the student's attendance at all, if possible. Either, then, the University rule should be made more stringent, or it should be done away with altogether, and the matter be left as part of the ordinary College discipline in the hands of Principals and Professors.

The division of the academic year into terms and vacations rests with the Education Department and other governing agencies, rather than with the University. At the same time it so far depends on the University, that the arrangements for the College naturally turn upon the time at which the University holds its examinations. The Syndicate fixes the dates at which examinations shall take place, the Director of Public Instruction and other authorities fix the dates on which Colleges shall close and re-open. The partial independence of University and College comes here to have a certain significance.

Now, I fail entirely to fathom the rationale of the arrangements at present prevailing. It may be conceded, that in India there are peculiar difficulties. Other plans have been tried. But I take that now in vogue in Bengal to be almost the worst conceivable. The F. A. and B. A. Examinations are held, at the end of February, or the beginning of March—this year, for special reasons, it was early in February. Colleges in Bengal close for the summer vacation about the end of April. The consequences are a little extraordinary. For six weeks or a couple of months these Colleges are working with half classes, since, as soon as the examinations are over, the F. A. and B. A. candidates disperse. Indeed, as a matter of fact, they go away much earlier. Class attendance falls off early in January, sometimes before. I do not know how this affects the minds of others; to me it seems a plain absurdity. A second inconvenience for many of the larger Colleges is that, since they are examination centres, the work of the remaining

classes is suspended for three weeks or more, during which the Examination is being held. There is a similar break for the Entrance Examination, which precedes, either immediately, or with a week's interval between. The result is to disorganise College work for about a month. In India, we readily come to think that whatever is, is right, and it is, without doubt, a pestilent proceeding to disturb the quiet current in which things will move, if only let alone. Nevertheless, I do not think that any one new to India would view this system with anything but astonishment.

Another inconvenience is this. Many examiners, perhaps most, are also teachers in Colleges. The papers come to be looked over while College work is still in part going on. The examiner cannot, then, in such cases give his whole time and an undivided mind to his work for the University. But the labour of looking over many hundred papers in a limited time is severe, at all events in English literature and similar subjects; and the University fixes a not too liberal time-limit under pains and penalties. A conflict between the claims of class-work and examination papers is very likely to ensue.

There is, I think, a solution which removes all these inconveniences—on one condition. This is, that we recognise the propriety and even desirability of a real 'long vacation.' It is this. Let the College Session end on the last Saturday in March. Let the F. A. and B. A. Examinations begin on the Monday following. The Entrance Examination might be held earlier, or later, as seems advisable, but if earlier, and if unavoidably, in College buildings as examining centres, let classes be dismissed a week sooner. Let there be a Long Vacation for Colleges, of not less than three, and not more than four, months. The Colleges would thus re-open with all classes at the earliest on the last Monday in June, at latest on the last Monday in July. Possibly the best plan would be a compromise, and to let Colleges open on the Monday next preceding July 16th, giving a Long Vacation of just three months and a half. The worst of the heat would then be over in ordinary years. The advantages of this arrangement would, I conceive, be the following :—(1) Students would be at their homes during all the hottest and, on the whole, unhealthiest part of the year; (2) First and third year students would not fritter away time through the breaks caused by examinations; (3) They would enjoy a long rest from the routine of lectures, and a free time for much-needed continuous reading by themselves. Secondly (1) College professors are saved the waste of time of going daily to College for half-work only; (2) They are saved a vexatious interruption of the regular course of work; (3) They, too, can escape from the worst of the heat, and examiners can give all

their time to their exacting labours. Thirdly, there would be these advantages to the University :—(1) It could insist effectually on the presence of all examiners in Calcutta while the examinations were going on, and provide much better for the due co-operation of joint examiners. Co-Examiners could, if they pleased, spend a week together over their papers in Calcutta (or in the hills), comparing notes and settling doubtful points. They might even complete the whole task in company, and end with a general consultation on results. They would also have their whole time and energies to devote to the work of the University, and might thus be expected to carry it through both more thoroughly and more expeditiously.

In simplicity, seemliness and convenience this plan seems to me to have an immense advantage over the system, or no-system, at present in use. Is there anything to be said against it? I can conceive so little, that I altogether fail to understand why it has not been long ago adopted. We are brought to it, I think, by any thorough review of the factors of the problem. The chief examinations must come at the end of the academical year, and about the time of the main break in the year's work or long vacation. The Long Vacation in Bengal must come in the hot weather, covering, at all events, the two worst months, May and June. On the other hand, the examinations must be held before the season is so hot as to be excessively trying to candidates and others concerned.

The only reasonable objection I can think of is, that at the beginning of April it is already too hot for examinations in Calcutta. If that is held to be so, then simply the scheme must be shifted a fortnight or three weeks earlier. The necessary data I take to be that examinations must not begin *later* than the first week of April, or Colleges re-open *before* the 1st of July. Within these limits two or three alternatives are possible, while still keeping the Long Vacation within reasonable limits. It may last, as I at first suggested, from about the 1st April to about July 15th, or from, roughly, March 15th to July 1st, without affecting the practical advantages of this division. The change proposed, in fact, very little alters the time of examinations: it does alter very considerably the length of the vacation. And here objections may certainly be expected, though I have my own opinion of the reasonableness of some of them. The suggestion of a three or four months' vacation for colleges will inevitably astonish a good many excellent persons, some of whom ought to know better, and take away the breath of not a few whose position entitles their opinion to consideration. Yet, I scarcely think any valid objection can be urged against it. The strongest I can conceive is, that Indian students would not know what to do with a long vacation.

if they got it. To this one might reply; 'then the sooner they learn the better.' But I do not think the assertion would prove to be altogether a true one. At all events, we can but give opportunities; we cannot force persons to make use of them. Possibly, particular students, and even also particular professors, might fail to make full and proper use of a long vacation; yet, it would not in the least follow that there ought not to be one. For a student who is determined to pursue his studies diligently, and for a College lecturer who desires to discharge his function efficiently, a long vacation is a necessity. The practice of nearly all the universities in the world supports this assertion, and a fair consideration of the conditions of the problem justifies the practice. To make this good, let me briefly consider the matter first from the standpoint of the student's needs, and secondly from the standpoint of the professor's duties.

A student at an Indian College usually attends four or five lectures daily, each of an hour's duration. During most of that time he is taking notes. Each lecture involves a certain amount of previous preparation, if the student is to profit by it, and still more calls for review and after-study. His time is thus fully taken up from day to day. He has little or no time for a general review of his work, or the attempt to get a firm grasp of a book or subject as a whole by connected reading. He wants, then, a solid time somewhere in his work for reading quietly through his books, and assimilating at leisure, as a whole, what his lectures have given him under high pressure and piecemeal. In short, the work of digesting knowledge requires time. A long vacation gives the continuous leisure needed, and it is a very foolish student who makes no use of it. The long vacation should be made an integral part of the student's regular scheme of work, and it is the part of the professor or College teacher to persuade him of this.

On the other hand, a professor at an Indian College has three or four hours lecturing to do daily. Lectures require preparation or revision: in English literature, in particular, the labour of preparation is unremitting. The correction of papers and essays occupies a greater or less time, according to the individual teacher's view of the value of these aids: with classes of from fifty to a hundred, the labour involved is, in any case, not slight. In a variety of other ways the College may, perhaps should, have claims on the teacher's time. Despite, I am aware, a somewhat widespread impression to the contrary, the days even of the Professor at a Government College are, during term time, pretty well occupied with the routine work of his College. But something more seems to be expected from a man whom you bring out to India at great cost as, an

exponent of modern enlightenment and entitle Professor, than the mere routine of College teaching. He may, or rather should, 'profess' some branch of learning in particular, mathematics, literature, science; and, at all events, it seems to be implied that he does stand in the position of an authority in his own particular branch of learning. More than this, he may be expected to be a man of general culture and to keep abreast of the times. He, too, then, needs a long quiet time for special work,—a new course of lectures, the writing of a text-book, the task of keeping pace with the advances in his subject, and other occupations proper to his position and calling. He wants, in other words, a Long Vacation; and no vacation under three months is worthy of the name.

It is, I must confess, to me, astonishing that this necessity has so long been ignored in Bengal. Whether the responsibility lies with the University, the Education Department, or professors and teachers as a body, I do not know; but I consider it little short of scandalous that professors and heads of Colleges in Bengal contentedly acquiesce in a seven or eight weeks' summer vacation, and count it gain to be able to join the 'rush' to Darjeeling in the 'Pujahs.' The younger universities are ahead of us in this matter. Allahabad and the Punjab, at all events, have a long vacation of about eleven weeks—Allahabad from the last week in April to the middle of July, the Punjab, August 1st to October 15th. Even this is scanty, but it is 'enlightened,' compared with the primitive notions prevailing in Bengal.

As regards the particular case of Government Colleges, there may, unless I am mistaken, be a certain amount of opposition to be expected, on the ground of a prejudice which, if it finds voice, is expressed by the question: 'Why should the Education Department be more favoured than other branches of Government service?' Does this need any answer? Only in so far as it betrays an unfortunate confusion of thought into which many otherwise sensible persons fall in India, which confusion extends to other matters also. Because the Government of India has seen fit to organise an Education Department, as part of which gentlemen of certain attainments in British Universities shall be invited to India to act as teachers at Government Colleges, that, therefore, their function is to be assimilated to that of other official persons, whereas, in truth, it still remains that of teaching. The 'Department,' rightly considered, is an accident; the proper work of an officer of the Education Department employed in a Government College is still to 'educate,' and, if he is to be of any use at all, his needs and claims must be considered as a member of the teaching profession, and not as of the class 'officials.' You can

regulate prisons and police, even make railways and repair roads, by official rule ; but you cannot train and teach in the higher sense. If you want your Colleges to be efficient, and the best work from your Professors, you must make such regulations as will conduce thereto. The comparison with other persons and occupations is quite irrelevant. Simply, the work is different, and different principles must be applied. The very point of view involved in the question implies hopeless misconception of the whole problem of education. Let Government, if it sees fit, refrain from providing University teaching in India ; but, if it continues to appoint the Professors at the leading educational institutions of the country, let these gentlemen be treated properly, and, by properly, I understand, as men having their functions and responsibilities are treated in other parts of the world.

But this departmental question is really very secondary. It is natural, perhaps, to think first of Government Colleges in connection with the University ; but there are many colleges besides these, and many lecturers and teachers, who are not Government servants. If the Government Colleges were kept open all the year round, it would still be expedient, on the grounds already set forth, to have a 'long vacation.' It is a question of practical principle, not of persons.

If the general argument be granted, it remains to determine who is to take the initiative, the University, the Education Department, or the private Colleges. I think we might naturally expect the Government Colleges to set the example ; and, if any pressure is needed, it ought to come from the University, as the authoritative guardian of the highest form of education.

This brings me again to the mutual relations of University and College. If the University could be taken as an incorporation of educated opinion, there would be more chance of good sense prevailing in this matter. But the Calcutta University, as at present constituted, can only doubtfully be regarded in that light. Now, considering that the whole scheme of University education is of English origin and derived from English Universities, I think it may reasonably be assumed that such trained faculty as exists in India, bearing upon a question of this sort, is to be found in the educational services of the various Indian provinces, supplemented by gentlemen, English or Indian, who have passed through a British University, whether engaged in teaching or not. The Calcutta University is a self-governing corporation ; the final authority rests with the Fellows. These now form a numerous body of a somewhat heterogeneous character. I protest my entire veneration for the University as an institu-

tion, and claim to pay due respect to the merits of the Fellows, individually considered. But I am free to own that I am not wholly satisfied of the competency of that august body, in its corporate capacity, to deal with a question involving technical experience in the work of education. That the Syndicate cannot always be trusted to act with discretion, a recent episode, which attracted some public attention, showed, I am afraid, rather glaringly. A self-governing University is, without doubt, the only possible ideal; but it behoves us to be very careful to secure the right qualifications in the governors. Now, I incline to the opinion that a University, being an institution of a special nature, brought into existence for definite ends, within one particular branch or sphere of social organisation, is best controlled by men with a knowledge of the particular art or craft concerned. This view may be regarded as narrow; but it has a certain superficial plausibility. A military institution is, I suppose, best managed by men who have had military training, a medical institution by physicians and surgeons, and so on. Therefore, I think it is not unreasonable to presume that the regulation and control of a University will be best carried on by men who have received a University education, and are themselves employed in the work of education, which it is the business of the University to direct and supervise. Is that the case at Calcutta? Not altogether, I think. A certain number of such men are found among the members of the Senate and the Syndicate; but I doubt if they usually form a majority of either body. I believe this to be a mistake. I regard it as an almost fatal mistake, a mistake which may, if care is not taken to remedy it, prove disastrous in the near future, that sufficient care has not been taken to secure a preponderance in our University counsels of such an expert element, in the endeavour to give a popular character and social weight to the University in its first creation and expansion.

The Indian Educational Review for April of this year, in commenting on the selection of Fellows for the Madras University, remarks:—"We shall never be satisfied with the composition of the Senate, until it contains a representative from at least every First Grade College affiliated to the University. As we have often remarked, it is a gross anomaly that these Colleges, which, we are informed by those who support the Indian University system, form an integral part of the University, often have no voice whatever in changes which may affect their constitution, nay even their very existence." This position is, on the whole, I think, a sound one; but I would put the matter rather differently and say, that, in my opinion, all members of the teaching staff of

affiliated colleges, holding certain official positions and *at the same time* possessing suitable qualifications in other respects, should be *ex-officio* members of the governing body of the University. The proposition is, no doubt, revolutionary. My contention is merely that it is for the present a right provision for the Indian University. It would have the effect of drawing much closer the bond between the University and the Colleges, without entirely doing away with the separate individuality of either.

These more technical matters have taken up so much space that I must defer the other, and, as I think, yet more important, side of the educational problem, for later consideration. I have expressed my opinion on the points which have come under review freely, but, I hope, without undue presumption. The opinions expressed make no claim to originality. I do not put them forward as new ideas, but as true ideas. I am not greatly concerned whether or no they are strictly my own property. There simply seems to me a need to insist upon them in set form at the present time. To me, indeed, most of what I am advocating seems so trite as to be almost axiomatic. I should have thought its statement superfluous, did not facts conspicuously show the contrary. That this is so, is but another instance how widely men's opinion differ as a result of difference of training and association. The peculiar history and the peculiar difficulties of Indian educational problems are responsible for much that now exists; nor do I ignore that this is so. I am, nevertheless, of opinion that the difficulties must be wrestled with, until any disadvantage we rest under in India, as regards the fostering of liberal education, are step by step overcome. In the hope that much may be accomplished in the near future, I have ventured on a freedom of criticism which, if it leads to nothing else, may at least tend to rouse a more active interest in these matters. It would, at all events, be well if the Indian University, and in particular the Calcutta University, could be induced to take stock of its own institutions and fortify itself against critical eyes, through a heightened consciousness of its responsibilities, which might be a spur to more strenuous efforts after the attainment of the high ends for which it exists.

H. R. J.

Art. IX.—“JOHN JONES, SEBUNDY CORPS.”

IN the disused Christian Cemetery on Ross Island, Port Blair, there is a small wooden cross at the head of a grave, bearing the simple undated inscription—“John Jones, Sebundy Corps,” and it is round about this cross that I propose now to hang a little dissertation and make a little enquiry.

In the “Register of Europeans who have been buried in the Cemetery on Ross Island during the year 1860”, is to be found the following entry :—“———Jones; age——; Andaman Sebundy Corps; diarrhoea, admitted [to hospital] 14th November, 1860; died 14th November, 1860; Sergeant-Major.” So that it may be inferred that John Jones was Sergeant-Major of the Andaman Sebundy Corps, and died on the day he was admitted to hospital with diarrhoea, and was buried in such a hurry that neither his Christian name nor his age found its way into the Burial Register. On these facts we may ask with some show of fairness whether diarrhoea was not meant as an euphemism for cholera.

Captain J. C. Haughton, the Superintendent of the Penal Settlement of Port Blair of that time, in reporting the fact on the same day and asking for a new Sergeant-Major, merely stated that the deceased had “died suddenly.” As the Sebundies were a Tamil-speaking Corps, the Superintendent asked for a man who could understand Tamil, and accordingly, on the 21st of February, 1861, Sergeant Thomas Kenna was duly appointed Sergeant-Major of the Andaman Sebundy Corps by the Madras Government, and that Government asked the Government of India to arrange for his transmission to the Settlement.

In 1858 Dr. J. P. Walker, Superintendent of Port Blair, asked the Government of India for a Company of Sebundies for service in the Andaman Islands, and that Government asked the Madras Government to raise the Corps. This was on the 27th July, 1858. On the 23rd August the Madras Government held Consultations, and, among other subjects, dealt with that of the Andaman Sebundies. As the order relating to it is interesting in the present connexion, and also for allusions to other Sebundies, the first four paragraphs of it are given here in full :—

“(1). The Government of India request that measures may be taken for raising, in the Madras Presidency, a Company of Sibbundies for service in the Andaman Islands. The Company is to consist of 100 men with the usual number of Jemadars, Havildars, and Naiks, but no Subadars,

and the usual establishment, and is to be commanded by an European Uncovenanted Officer with a Second-in-command of the same class. The pay of all ranks is to be the same as that of the Sibbundy Corps in Ganjam.

"(2) It is observed that the pay of the several ranks in the Ganjam Sibbundies is that noted in the margin. The Goomsoor Sibbundies are commanded by the Military Assistant to the Agent, who draws a consolidated salary of Rupees 558-5-4 per mensem. The Purla Kemidy Sibbundies are under the command of the Military Assistant who has charge of that Estate, and draws, in addition to his Military pay and allowances, a Staff salary of Rs. 300 per mensem, which is paid from the funds of the Zemindary. These Military Assistants have judicial and other duties, besides the charge of the Sibbundies.

	per mensem.	
Sergeant-Major ...	Rs. 60	
Birdar ...	" 40	
Jemadar ...	" 16	
Duffadar ...	" 10	
Naib-Duffadar ...	" 7	
Naiques ...	" 5½	
Peons ...	" 4½	
Vakeel ...	" 12½	

"(3). The Andaman Sibbundies are to be commanded, as intimated by the Government of India, by an Uncovenanted European Officer with a Second-in-command of the same class. It appears to the Governor-in-Council that, having regard to the nature of the service, the pay of the Commandant should not be less than the Staff salary assigned to the Military Assistant in charge of the Kemidy Sibbundies, or Rupees 300 per mensem; and that the pay of the Second-in-command should be half that sum, or Rupees 150 monthly.

"(4). The Governor-in-Council resolves, as the first step towards the formation of the Corps, to apply to His Excellency the Commander-in-Chief for two steady and intelligent Non-commissioned officers as Commandant and Second-in-command on the above salary of Rupees 300 and 150 respectively."

The Madras Government, through the Commander-in-Chief, selected, on the 13th September, Captain C. M. Bruce of the "Infantry Volunteer Guards, late in the Adjutant General's Office, and Staff-Sergeant on the list of Effective Supernumeraries," as Commandant of the "Andaman Sebundies," but he could find no recruits, owing to the rates of pay offered, men refusing to serve in the Andamans on the scale of pay of the Ganjam Sibbundi (*sic*) Corps. The Madras Government suggested accordingly, on the 6th October, that the scale of pay and privileges should be that of the Pegu Police Battalion. Captain, or Mr. Bruce, as the Government style him in a note of the same date, also, in alluding to the proposed recruits, compares their prospects with those of the

Madras Sapper Militia of the period. On the 12th November the Government of India asked the Madras Government to raise the Corps, practically on any reasonable terms it could.

By the 18th February, 1859, the Madras Government had made great progress with the Corps, raising it on the footing of the "Pegu Police Corps" (*sic*); and it then consisted of Captain C. M. Bruce, Commandant, Mr. A. McGregor, a Color-Sergeant of H. M's. 44th Regiment, Second-in-command, and 96 privates, of whom four, however, were "absent without leave." The composition of the Corps is interesting :—

" Christians ...	...	...	...	4
Mussalmans ...	...	...	...	18
Telingas, or Gentoos ...	...	...	...	28
Other castes ...	...	...	...	46

and the Commandant contemplated further getting " Brahmins and Rajpoots," Mahrattas, and " Indo-Britons " as recruits.

The pay of the Corps was as follows :—

Sidar...	..	Rs. 60	per month,
Jemadar	..	" 40	" "
Havildar	..	" 20	" "
Naique	..	" 15	" "
Private	..	" 12	" "

The salaries assigned to the European Staff were : to the Commandant, Rupees 300, with an allowance of Rupees 30 for keeping and finding the Books of the Corps ; to the Second-in-command Rupees 150 ; and to the Sergeant Major, Rupees 60 per mensem. So it was a much more costly establishment than that the Government originally contemplated.

It was assumed, *inter alia*, that the Sebundies would take their families with them to the Andamans, and several arrangements to this end were made.

In a curious note to the last-mentioned " Proceedings," the Madras Government said :—" Percussion fusils with bayonets are the description of arms in use with the Ganjam Sibundies, but as the Ordnance Department were short of stock of this arm, the Commandant of the Andaman Corps has selected musket rifles with flint locks and swords, for present use." And this in 1859!

On the 29th April, 1859, the Government of India had progressed so far as to ask the Superintendent, Dr. Walker, to arrange for hutting the Corps, and by this time it had become confused as to spelling the Corp's name, for it now appears as the " Andaman Sibundy Corps." As an indication of the communications of the period, this letter of the 29th April is docketed as " received per ' Fire Queen,' 15th June." But on the same day Dr. Walker reported that he had plenty of accommodation. It was just as well that it was so, because,

on the afternoon of the 27th, the Andaman Seebundy (*sic*) Corps turned up at Port Blair, in the following strength, in the Transport "Malacca" :—

"Commandant	...	...	...	1
Second-in command	...	...	...	1
Sergeant-Major	...	...	...	1
Soobadar	...	...	...	1
Jemadar	...	...	...	1
Havildars	...	...	...	4
Naiks	...	...	...	3
Buglers	...	...	...	2
Privates (called also Sepoys)	...	...	...	107
Puckallies	...	...	...	2
Artificer	...	...	...	1
Servants and followers	...	...	...	121
European Clerk	...	...	...	1

226 persons."

On the 6th July the Government of India gave an Armourer to the Corps, and on the 15th 250 cots. The Supreme Government was a little late in the gift of the Armourer, for the Madras Government had anticipated it by attaching an Armourer to the Corps, on the 9th June, "on a salary of Rupees 18 per mensem and rations, on the understanding that his salary will be raised hereafter if his conduct is good"; and he is the Artificer abovementioned. The European Clerk too, no doubt, was the representative of the curious "Vakeel" attached to the Ganjam Corps.

The very large number of followers is thus accounted for. In its "Proceedings" of the 13th and 16th May, 1859, the Madras Government noted that the Commandant of the Andaman Sibbundies reported that "the Corps have (*sic*) been put through a complete course of drill, blank firing and target practice included." The "target practice" with the arms selected would have been a curious sight to the present generation of soldiers, though it took place hardly 40 years ago. Then the Commandant went on to report that "63 of the men have expressed a wish to take their families with them to the number of 113 women and children, and a few more of the men have written to their relatives at up-country stations, and are waiting for a reply before giving a decided answer."

On this report, the Madras Government determined to send the Corps and its families to Port Blair. At the same time, it arranged for recruiting the "Pegu Police Corps" by volunteers from Regiments of the Line, and proposed the same method of recruiting for the "Andaman Sibbundies."

The 250 cots above alluded to was a very liberal allowance and was based on the following return of the gross strength of the Corps, as proposed to be sent from Madras :—

" Corps.	2 Officers.
Families.	128 Non-commissioned officers and privates.
	82 men and women.
	38 children under 10 years.
	250 souls."

So that it will be observed that every man, woman, and child, even to the babe in arms, was supplied with a cot. The return just mentioned was made out by the Superintendent of Marine at Madras on the statement of Mr. Bruce, but the Superintendent wisely added, "I cannot say whether all really went on board." As will have been seen, all did not go.

The Governments concerned next, with reference to the pensions of the Corps, went into correspondence on the question of the Register of Heirs, as to which a good deal is on record.

It will have been seen then that a great deal of trouble had been taken with the small Corps of Andaman Sibbundies so far, and that it had occupied a good deal of the attention of two august bodies; but when once it had set foot in the Andamans, there is nothing more to be found about it in Government correspondence until the Sergeant-Major, John Jones, died.

On the 3rd October, 1859, Captain J. C. Haughton, of the Moulmein Commission, succeeded Dr. Walker as Superintendent. He had been appointed as far back as the 20th July, on the resignation of Dr. Walker, tendered on the 25th March; "on promotion to the rank of Surgeon in the Army."

Captain Haughton did not approve of the Sibbundies, for, on the 8th April, 1860, he noted that "the Sibbundy Corps might at once be dispensed with," and on the 3rd December he was more explicit:—"The force stationed here, or rather, frequent rumours regarding it, have been a source of anxiety. Doubtless a native force could maintain the place, but it is my fixed belief that the substitution of a native for an European force in this isolated situation would entail frequent bloodshed. As far as I have the means of judging, the convicts here utterly despise the Sibbundy Guard, and if a like number of the guard and guarded is paraded, a physical cause will be at once apparent."

Accordingly, on the 8th June, 1861, the Government of India wrote that:—"the Madras Government will be informed of the decision come to regarding this Corps, and will be requested to stop all recruiting for it, and to take the first convenient opportunity of removing it from Port Blair, and disbanding it." Lastly, on the 2nd October, 1861, Captain Haughton reported that:—"the Steamer (*Dalhousie*) arrived on the 1st September from Madras, having left on the 27th August. She left

for Rangoon on the 4th September with the Sibbundy Corps." So that was the undignified end of the "Last of the Sebundies;" for, so far as I know, the Andaman Sibbundy Corps was the very last Corps raised under that title. It was not the last British Corps to maintain an existence. The "Sibbundy Corps of Sappers and Miners," employed at Darjeeling up till 1869, may claim to be the last to be disbanded, for, even in the conservative Madras Presidency, the Ganjam, the Goomsoor, the Kemidy (or Purla-Kemidy), and other Corps of Sibbundies, do not seem to have eked out an existence later than 1861. In the Bombay Presidency, among Native States, there would seem to be still Police Corps known as "Sibbundies," for there is a convict still in Port Blair, who arrived in 1886 from the Native State of Jasdan in Kathiawar, and who is described in his Nominal Roll as "a sepyo in the Sibandi of Vichhiâ."

Regarding Madras Sibbundies I have unearthed the following information: Morris' *Godavery District*, 1878, p. 265, says:— "[In 1795-6] a Sibbandi or Revenue Corps, 800 strong, was ordered to be raised at once, and Lieut. Bowness was appointed to the command. It was divided into several Companies, of which three were employed in this [Mogalturru] Division. It was reduced in number, however, after the apprehension which had called it into existence had passed away." At page 301 of the same work it is stated:—" [In 1857] the campaign against Subareddi's insurgents about Rajahmundry" was continued by a Sibbandi or Revenue Corps, which was embodied for that purpose and placed under the command of Captain Alleyne F. F. Bloomfield." And lastly we have the following exceedingly interesting entry at page 309:—"The new organization of the Mofussil Police was introduced into the [Godavery] District in 1861-62. . . . The Sibbandi Corps which was raised at the time of Subareddi's disturbance, was reduced in number, and amalgamated with the Police, and the remnant was maintained as an armed reserve in full military efficiency. . . . Captain Bloomfield was appointed [Police] Superintendent of the District, and Lieut. Robertson Assistant-Superintendent. They had both been Officers of the Sibbandi Corps."

In a *Gazetteer of Southern India*, published by Pharos & Co., Madras, 1855, under "Goomsoor," at page 16, it is stated that, when the "Honourable Mr. Russell was Commissioner in 1835-36, the Zemindar and the Company had disagreements, until the capture and imprisonment of the Zemindar, a more direct management of the Goomsoor tracts under British officers, and the establishment of a Corps of Hill Sebundies, closed the affair."

In Carmichael's *Visagapatam*, 1869, there are a number of allusions to Sebundies; some of which are interesting as showing how such "troops" were employed, and how their title has been spelt. Page 19. "When it was determined that the Governor's Agent should take up the administration of Jeypore [in the Vizagapatam District], it became necessary to improve one or other of the lines of ghaut between that country and the coast. . . . The line from Kasipuram over Galikonda to the head of the [Pettah] Ghaut twelve miles short of the town of Jeypore, was first traced by the old Sibbundy Force under Lieutenants Dobree and Gordon [about 1855]."

The Circuit Committee, 1784, in reporting on the military resources of Zemindars of the Northern Circars, give a list of the troops kept up by them; and, under the Zemindary of Vizianagram: (page 209 of Mr. Carmichael's work), thus we find:—"2,586 Sibbandy and Pike [Pâik] peons for the forts and hilly countries, at 11,062-6-0 rupees monthly is 1,32,748-8-0 rupees." The Company found that the Zemindar was keeping up too many troops, and so (page 210) "they proposed to allow Viziam Raz to hold his fort with the personal equipage of 776 peons and 50 horse, and to keep up 2,000 Sibbandy for the occupation of the hill passes." Ten years later, in 1794, Viziam Raz in great trouble of body and mind (he died like a lion, fighting, soon afterwards), wrote to the Company a letter (page 217) "in which he attributed his disobedience of the Company's orders to the restraint laid upon him by the rabble of Sebundies and others that had gathered round him."

We have already heard of the Purla Kemidy Sebundies in 1859, and from Carmichael we learn (page 233) that in 1832, "amongst other outrages committed by the malcontents [of the Purla Kemidy Zemindary], an attack in open day was made on the party of Sibbandis posted at Boorjah: two Sepoys were killed and seven wounded, the village was plundered and ten muskets carried off." Of another Hill State, Golgondah, we read at page 237:—"Once more in 1857-8, an insurrection broke out under the leadership of Sanyâsi Bhûpati, nephew of Chinna Bhûpati. The Sibbundies under Captain Owen, assisted by some of the leading Sirdars in the hills, promptly put it down."

At pp. 238-9, in reference to the Jeypore Zemindary, we come across the inflections and syntax of another most interesting Anglo-Indian word:—"Mr. Smollett [1849] took the step of *safting* the four taluqs on the Eastern side of the Ghauts. . . . It was urged upon the Agent on some sides to *saft* the entire estate. . . . At the conclusion of his arrangements for this *saft*, the Agent returned to Headquarters, whence he had occasion shortly afterwards to detail his Assistant, Mr. Bird,

and Captain Haly, with a party of Sibbandis, on the rumour of another and lighter disturbance in a different quarter of the Zemindary. . . . The old man [the Rajah of Jeypore] proposed that an Assistant Agent should be settled on the frontier, and that all the principal places in Jeypore should be garrisoned by parties of Sibbandis." *Zaft* means "attached, sequestered," vide *Madras Manual of Administration*, Vol. III (1893), page 1045, which gives this information under *Zuft*, and gives also "*Zufti*, sequestered," acknowledging the derivation to be Arabic *zabt*, the ordinary Indian term for "confiscated." This word is not in Yule, who gets no nearer than *Jubtee*, *Juptee*, a periodical confiscation of revenue by the Maharaja Sindhia (1808). In the *Bombay List of Places and Common Official Words* (1875), *sabti* and *japti* are given as terms for "attachment, &c."

The last we hear of the Sebundies in the Vizagapatam District is at page 257, where Captain Tennant, Deputy Inspector-General of Police, notes that :—"The Sibbandi Corps which replaced the detachments of the regular Army was incorporated with the constabulary, and a considerable number of the old police establishment joined the new force."

Amongst other things, Sebundies have been employed to put down the Meriah human sacrifices, for in the above book, page 344, extracts are given from a letter from Captain A. C. McNeill, Agent to the Governor-General in the Hill tracts of Orissa, dated 11th June, 1861. Para. 7 of this very interesting letter says :—"The Khonds also stated that they could not comprehend why the Khonds of Kasipur were allowed to sacrifice, while they [of Jeypore] and their neighbours of Chinna Kimedya were prohibited from doing so. This latter statement had reference to the attempt at [a Meriah] sacrifice in Tooamool, which attempt designing people informed the Jeypore Khonds had succeeded, although the Sirkar had interfered to prevent it, also that the Sebundies had been forced to retreat with severe loss. A guard of Sebundies has consequently been reposted at Ryabjee, and another at Mahasinghee of Chinna Kimedya."

From the *Memorials* (1865) of Macpherson, the well-known suppressor of the Meriah sacrifices, it would appear that the Sebundies of Ganjam, &c., were entirely Native troops, for, at page 160, it is stated that :—"In submitting to the Government an account of their proceedings [1841], Captain Macpherson proposed that a share of the Sebundies (the local force commanded by Gopee Sing, brother of Soondera Sing) should be made available for the execution of the decrees above the Ghauts."

At page 201, Baba Khan (Macpherson's factotum) writes (1844) :—"Gopee Singh, the Sirdar of the Sebundies, proceeded to the village of Sam Bissye." Again, in 1846, we find, page

264, MacPherson making "the best arrangements he could for defence, by sending up a guard of Sebundies to repel the attacks upon Lienpurra." Lastly we find General Campbell, one of poor MacPherson's greatest opponents, in his *Personal Narrative* (1864), page 242, quoted in MacPherson's *Memorials*, page 376, saying that "a Khond whom I had induced to join my Corps of Sebundies, joined in repelling an attack.

The employment of Sebundies as a local protective force is to be gathered from Garstin's *South Arcot* (1878), which says, p. 226, "the Police of the Trivandipuram farm consisted (in 1775) of a Poligar and watchers. The Poligar's duties were the same as those of the Cuddalore Poligar, but he had in addition to provide a force of Sibbandi peons in time of war for the protection of the farm."

One might wager with safety, from the circumstances already described, that allusions to this class of irregular force would be found in contemporary accounts of fights with the Marathas and Rajputs, and with Tippu and Haider Ali; and, sure enough, in a letter from "Major de Boigne, dated Camp at Patan, June 24th, 1790" (Seton-Karr's *Selections*, Vol. III, page 269), we read—"The enemy's (of Sindhia) force consisted of—Rajepoot Sybundeess with 8 picces of cannon." This letter is also quoted in full, and a long account of the Battle of Patan is given, in Compton's *Military Adventurers of Hindustan*, 1892, page 51. ff., where the letter is conjectured to be an English translation from the French of the great commander. In a footnote to page 53, Mr. Compton remarks "Sybundeess, Irregular Infantry."

In a letter dated "Tiagar, 19th December, 1790" (Seton-Karr, page 283), we read about "Calcourchy, which place fell to the enemy on the 17th instant, after the Amuldar with a few Sibundies, making some resistance against a detachment from Camaruddeen's [Tippoo's Lieutenant] camp with two guns."

The word appears also in a very interesting account, in Mackenzie's *Kistna District*, 1883, page 67, of DeBussy's arrangements for the Northern Circars in 1751-9, when he held them for the French. Quoting Mr. Grant, *Political Survey of the Northern Circars* (c. 1786), the book says:—"As a temporary expedient the Zemindars were bound to maintain the public peace; defray all charges of collections; and keep on foot a Sibbundy corps of 12,000 infantry which, over and above the ordinary services of preserving the three yearly crops or enforcing their yearly divisions between the Government and the tenants, were liable to be called on to defeat any invading force."

So far we have been following the Sebundies and their

occupations and uses from the writings of those directly concerned with them. We may now profitably turn to current definitions of the term, before enquiring further into their history outside the modern Madras Presidency. In Brown's *Dictionary of Mixed Telugu*, Madras, 1852, we find :—"Sibbandi, Rangers, Militia, armed peons, Irregular Infantry. An establishment of clerks, peons, &c." He gives Sibbandi as the Telugu spelling, and Sibandī as the Hindustani spelling. In Johnson's *Persian Dictionary* 1852, is given :—"Sibbandi, a soldier employed in collecting, revenue, an establishment of peons, &c." I fancy, however, that Sibandī is a case of Muhawara-i-Hind. Forbes' *Hindustani Dictionary*, 1857, gives :—s.v "Sih, Sibbandi, a militia soldier, employed in collecting revenues." In the Glossary attached to Vol. II of Rice's *Mysore and Coorg* (1876), Appendix II, p. 25, Sibbandi is given as the equivalent for "an establishment." In Vol. III, (Glossary) of the *Madras Manual of Administration*, 1893, under sipah is to be found :—"Sibbundy (Sibbandi, Hind). From above [sipah] bandi, Pers., recruitment. Militia for garrisons of forts, guard in towns and villages and for collection of revenue. So an establishment of clerks, peons, &c." For once, at any rate, it will be seen from what is unearthed in this article that the learned and laborious, but curiously old world, authors of this truly colossal work (1162 pp. foolscap, closely printed double column brevier) are to be found tripping in a derivation.

Yule, who, has usually something valuable to say about almost anything Anglo Indian, says, *Hobson-Jobson*, s. v. "Sebundy," that it is from the Persian "Sibbandi" (sih, "three.") "The rationale of the word is obscure to us. It is applied to irregular native soldiery, a sort of militia, or imperfectly disciplined troops for revenue or police duties, &c. Certain local infantry regiments were formerly officially termed Sebundy. The last official appearance of the title that we can find is in application to 'the Sebundy Corps of Sappers and Miners' employed at Darjeeling. This is in the *E. I. Register* down to July, 1869, after which the title does not appear in any official list. Of this Corps, if we are not mistaken, the present [1886] Field Marshal Lord Napier of Magdala was in charge, as Lieutenant Robert Napier, about 1840.

"c. 1778. 'At Dacca I made acquaintance with my venerable friend John Cowe. He had served in the Navy so far back as the memorable siege of Havannah, was reduced when a Lieutenant at the end of the American War, went out in the Company's Military service, and here I found him in command of a Regiment of Sebundeas, or native militia.' (Hon'ble R. Lindsay, in *Lives of the Lindsay's*, Vol. III, page 161).

" 1785. 'The Board were pleased to direct that, in order to supply the place of the Sebundy Corps, four regiments of Sepoys be employed in securing the collection of the Revenues' (In Seton-Karr, *Selections*, Vol. I, page 92).

" "One considerable charge upon the Nabob's country was for extraordinary Sibbendies, sepoy, and horsemen, who appear to us to be a very unnecessary incumbrance upon the Revenue.' (Appendix to a speech on the Nabob of Arcot's Debts, in Burke's *Works*, Vol. IV, page 18, Edition 1852).

" 1796. 'The Collector at Midnapoor having reported the Sebundy Corps attached to that collectorship, sufficiently trained in their exercise; the Regular Sepoys who have been employed on that duty are to be withdrawn.' (G. O. 23rd February, in *Supplement to Code of Bengal Military Regulations*, 1799, page 145).

" 1803. 'The employment of these people, therefore, as Sebundy is advantageous—it lessens the number of idle and discontented at the time of general invasion and confusion.' (Wellington's *Despatches*, Edition 1837. Vol. II, page 170.)

" 1812. 'Sebundy, or Provincial Corps of native troops.' *Fifth Report*, page 38.

" 1861. 'Sliding down Mount Tendong, the summit of which, with snow lying there, we crossed, the Sebundy Sappers were employed cutting a passage for the mules; this delayed our march exceedingly.' *Report of Captain Impey, R. E.*, in Gawler's *Sikhim*, page 95."

To this may be added a quotation from Hunter's *Annals of Rural Bengal*, p. 77:—"On the 21st February, 1789, we find Mr. Keating (Collector of Beerbhoom, levying a Militia to act with the Regulars against the banditti who were sacking the country towns." If Sir W. Hunter's literary instincts had permitted him to give the redoubtable Mr. Keating's term for "Militia" in his own words, one suspects that Sebundy in some form or other was the word used.

The full quotation from Seton-Karr, *Selections*, Vol. I, p. 92, above given, would, however, go to show that Sebundies practically died out of lower Bengal soon after 1785, for it runs thus:—"Thursday, February 24th, 1785—The Board were pleased to direct that in order to supply the places of the Sebundy Corps, four regiments of Sepoys be employed in securing the collection of Revenues and maintaining the peace of the country; and Bograh, Rungpoor, Dacca, and Midnapore were fixed 'as' stations for these Regiments. It is now resolved that Dinagepoor be a station instead of Rungpoor; and that a small detachment under the command of a Commissariat Officer be sent to Rangoon for the protection of the Frontier." Against the inference is the quotation

as to Midnapoor, given above from Yule, in 1796, for it is the fact that by 1822 the name seems to have disappeared from Bengal as one for irregular troops in that and the following years in the operations against Burma. Irregular Troops of all sorts, such as the Mug Levy, are mentioned in the documents of the period in Wilson's *Documents of the Burmese War*, 1827, but never once are they called Sebundies, so far as I can find out.

Yule has also a long but very interesting footnote attached to the article above mentioned:—"An application to Lord Napier, for corroboration of this reminiscence of many years back, drew from him the following interesting note:—Captain Gilmore of the Bengal Engineers was appointed to open the settlement of Darjeeling, and to raise two companies of Sebundy Sappers, in order to provide the necessary labour. He commenced the work, obtained some (Native) officers and N. C. Officers from the old Bengal Sappers, and enlisted about half of each Company. The first season found the little colony quite unprepared for the early commencement of the rains. All the coolies, who did not die, fled, and some of the Sappers deserted. Gilmore got sick; and in 1838 I was suddenly ordered from the extreme border of Bengal—Nyalcollee—to relieve him for one month. I arrived somehow, with a pair of *pitara*s as my sole possession. Just then our relations with Nepal became strained, and it was thought desirable to complete the Sebundy Sappers with men from the Border Hills unconnected with Nepal—Garrows and similar tribes. Through the Political Officer the necessary number of men were enlisted and sent to me. When they arrived, I found, instead of the 'fair recruits' announced, a number of most unfit men, some of them more or less crippled, or with defective sight. It seemed probable that, by the process known to us in India as *uddlee buddlee*, the original recruits had managed to insert substitutes during the journey. I was much embarrassed as to what I should do with them, but night was coming on, so I encamped them on the newly-opened road, the only clear space amid the dense jungle on either side. To complete my difficulty it began to rain, and I pitied my poor recruits. During the night there was a storm, and in the morning, to my intense relief, they had all disappeared. In the expressive words of my sergeant, there was not a 'visage' of the men left. The Sebundies were a local corps, designed to furnish a body of labourers fit for mountain work. They were armed, and expected to fight if necessary. Their pay was six rupees a month, instead of the sepoys' seven-half. The pensions of the native officers were smaller than in the regular army, which was a ground of complaint with the

Bengal Sappers, who never expected in accepting the new service that they would have lower pensions than those they enlisted for. I eventually completed the corps with Nepaulese, and, I think, left them in a satisfactory condition. I was for a long time their only Sergeant-Major. I supplied the Native Officers, and Non-Commissioned Officers from India with a good pea-jacket each, out of my private means, and with a little gold lace made them smart and happy. When I visited Darjeeling again in 1872, I found the remnant of my good Sapper Officers living as pensioners, and waiting to give me an affectionate welcome. My month's acting appointment was turned into four years. I walked thirty miles to get to the place, lived much in hovels, or temporary huts, thrown up by my hill-men, and derived more benefit from the climate than from my previous visit to England. I think I owe much practical teaching to the hill-men, the hills, and the climate. I learnt the worst the elements could do to me, very heavily, excepting earthquakes! And I think I was thus prepared for any hard work."

As to the origin of the term Sebundy, it will have been seen that Yule was doubtful, but that master of colloquialisms, Fallon, *Hindustani Dictionary*, 1879, is helpful here:—*s. v.* sih, (three) he gives "Si-bandī, (1) a quarterly 'payment,' and a quotation, 'Kaho unke hān kī sehbandī bat gāi?' " (2) a tribute, a contingent. (3) a militia soldier employed in collecting revenue or in police duties, &c. (4) charges in the revenue accounts for the maintenance of such troops. Sibandī ughānā, to levy or collect quarterly payments." Platts, who, in his *Urdu Dictionary*, 1884, had the advantage of both Fallon's and Forbes' labours, calls Sibandī, (*s. v.*, sih), a three-monthly or quarterly payment, and of Sibandī ughānā he says it means to levy or collect three-monthly payments.

Further enlightenment is to be had of Whitworth's *Anglo-Indian Dictionary*, 1885, *s. v.* Sibandī, which the author says means, "irregular soldiery: a sort of militia, or imperfectly disciplined troops, maintained for the garrisons of forts, and guards in towns and villages, and for the collection of revenue." Under "Mulkgīrī," he gives still further valuable information. This word, he says, means "the taking possession of a country, the periodical incursion of a military force for the collection of tribute or revenue. Dr. Hove under date 2nd July, 1788, writes, "within a mile of the town [Limri], I met with Fatehsing's army consisting chiefly of horse, which collected the revenue from this District and the Cattyware country. I understand that Fatehsing sends yearly an army of 20,000 horse to the inland districts without which he could not obtain a single badam." Limri, which is the Limbdi of the *Bombay*

Gazetteer, Vol. III, Kathiawar, page 529 ff, was, in 1788, under Maratha sway, as the name "Fatehsing" would indicate; and on the present subject the *Gazetteer*, page 502, gives a bit of valuable information:—"The custom of paying tribute at this time and subsequently was, that if a Chief paid tribute when the Mulkgiri troops were on the frontier, his territories were not invaded." The time spoken of was 1729 when Kathiawar was under the sway of the Mughals of Gujarat, and, as to the Maratha system of collecting money in 1757 and later, we learn, at page 304, that:—"The Maratha tribute-collecting expeditions were conducted on the model of those of the Mughal authorities from whom they borrowed the very names of their levies."

The curious reader, interested in tracing out how expressions and statements get into *Gazetteers*, may here turn with profit to the 1880 edition of Forbes' *Ras Mala*, where he will find the origin of the above in the Chapter on Moolukgeeree, page 394, and in Watson's introduction to the book, page viii.

The familiar use of the term Sibandi in the Bombay Presidency may be seen from several sources. Thus, in the Index and Glossary attached to Grant-Duff's *History of the Mahrattas* (1826), we find:—"Sebundee, irregular infantry, employed both in garrisoning forts, and in assisting in the police and other civil duties of the Province." Also, in *Bombay Places and Common Official Words*, 1875, an official publication, is to be found (page 65) under the latter designation:—"Sebundi, see Sibandi: Sibandi (Hill), militia, police."

Again, in the volumes of that truly wonderful work, the *Bombay Gazetteer*, there are repeated references to the Sibandis in the Native States. For instance, in Vol. V, page 183, we read that up to the date of that volume, 1880, the police establishment of the Rao of Cutch "consisted of a body of Musalman horse with a nominal strength of 95, and of an Arab militia, Sibandi," who were 300 strong in 1877-78. From Vol. VII, pages 465-8, we gather that in Baroda City up to 1860 "offences committed at night were under the cognizance of the Killedar, whose sibandis were in charge of the city at night. About 1860, the Kille sibandi was amalgamated with the Fauzdari sepoy, and a police battalion was formed." And lastly, when comparing past with present in 1886, the writer of this volume says: "The Tainati Sibandi was essentially a military force, and an offence against the public peace was in no vague sense treated as an act of rebellion against the Sovereign. It is impossible in this brief space to relate how absurd now seem the results of this old confusion of ideas between war and administration of justice. Now the Police Magistrate need not be considered a general, leading"

the troops of the State to wage war on criminals." And yet we have evolved the now familiar Military Police within the last generation!

In Vol. XXIV, page 274, we come across a new form of the word in use at Kolhapur, for we read, "Independent of the rural police, each peta or sub-division was furnished with a body of shibandi, amounting together to 3,059. . . They were armed [in 1844-45] with swords and shields, and generally stationed at the Headquarters of the Sub-division." In 1869-70 this picturesque force had to give way to reform, in the shape of a body of police on the British Indian model (page 275).

The older books on this part of the Peninsula also have allusions to this class of soldier, for we read in Forbes' *Ras Mala* (edition 1880, page 583), that, "The Raja of Kot, who, at the time of Colonel Walker's Report in 1804, maintained a body of 150 horse and 2,000 seebundees, was sent to prison for neglecting a summons from a Magistrate", which was a drastic way of dealing with a native Chief, especially as we read at page 585, that he maintained them "like the troops of a sovereign prince!" In Appendix XIII to Malcolm's *Central India*, is attached a table of the "Military establishments of the Princes and Chiefs of Malwa", and we find from it that they all maintained Sebundies, from the 6,435 in number in the case of Scindia (*sic*) to the 150 of humble Ghuffoor Khan. They are always classed in this table with "garrisons of forts, irregulars", and always as foot soldiers. Also, in Tod's *Rajasthan*, 1832, Vol. II, page 247, we find in the establishment of the Rawul of Jessulmer, "Sebundies or Mercenaries, Rs. 75,000", and a footnote:—"Sebundies are mercenary soldiers in the fort, of whom 1,000 are estimated to cost 75,000 rupees annually."

But the use of Sibandis, not his own, in Sindhia's time may be gathered from a quotation from Vol. III of the *Bombay Gazetteer*, 1879, page 261 f; a passage throwing much light on pre-English Administration, and showing the Sibandi "in ex-celsis," so to speak. "When in 1853 His Highness Sindia handed over the Panch Mahals to British management, the greatest disorder prevailed. For years the district had been in the hands of revenue collectors, who, so long as they paid the amount they had bid, were allowed to manage the district as they chose. Under them was a military force, Sibandi, distributed through the districts in outposts (*thanas*). The contractors realised their revenue demands from the heads of single villages, from Chiefs and large landowners who held several villages, and from speculators who contracted for the revenue of village groups. In the unsettled state of the district most of the large landowners and sub-contractors had engaged mercenaries, and in several instances had attacked and driven away

the chief contractors' militia outposts. As the Chiefs seldom willingly paid tribute, sureties were required. These, in the absence of any rich body of merchants, were generally men in a high position in the contractor's forces. In return for their services as sureties, these mercenaries exacted interest from the Chiefs at 24 to 36 per cent., and if he could not pay, billeted on him a certain number of men. This was the general state of things in all parts of the country."

In a footnote to page 261 are given instances. "The Thakor of Sonipur south-east of Pavagada, proprietor of forty villages, chiefly waste, was indebted to the leaders of two mercenary gangs. The Thakor of Kanjeri was indebted to three different leaders of mercenaries. The Thakor of Bhimaria, a mere boy without male relatives, was deeply in debt. The Thakor of Mehlol, a man of extreme imbecility, was heavily in debt, particularly to two leaders of mercenaries, who kept him almost a prisoner in his own house. The Zemindar of Tanda was indebted for loans of money and arrears of pay to these men." The note gives also details of the debts which show their oppressive nature, *e.g.*, for lending Rs. 7,900, the pay of the mercenaries came to Rs. 1,930 per annum; for lending Rs. 6,360 it came to Rs. 1,420 per annum. Surely the Sibandi never anywhere rose higher than this.

There are a great number of references to Sebundies in Malcolm, besides that already given, some of which throw much light on manners and administration in Central India in days not long gone by. In a note to Vol. I, p. 136 (Ed. 1880), we get a contemporary definition (as also at Vol. II, p. 185) :— "The term Sebundy, which means a local military, employed for the preserving of internal peace and to aid in revenue collections, may be literally interpreted 'Militia' ". And further, p. 262, is given an instance of the definition :—"In all these services Ameer Khan [the famous Pindari] and his followers were employed as Sebundy, or local Militia, with an average monthly pay of three or four rupees a man, and from ten to fifteen to him as their commander."

At page 441 there is a further illustration :—"The Dewan [of a Maratha State] has, independent of this pay from the prince, also in some places an anna, or sixteenth part of a rupee, in others half of that amount, from the pay of the Sebundies or militia of the country."

When discussing the administration of revenue in Central India under Maratha rule, (Vol. II, page 23, note), Sir John Malcolm remarks :—

"The only grants in this village' (Belloda, near Dhar), that appear excessive, are those to the Brahmins of 172 begahs, and 152 begahs to two Jemadars and five Choukeedars, but the

latter is the pay of these men, who are in fact the hereditary Sebundies, or soldiers of the village." Here there is an interesting insight into the manner in which the militia were paid.

At page 144. there is yet another view of them. "The Mewatties, a well-known Mahomedan tribe in Hindustan, have long resorted to Central India. They were entertained as Sebundies or Militia by the renters or managers of the country, and were deemed faithful to those they served : but great numbers of them, who settled in the villages, became professed depredators : they were, however, generally in bodies which Rajpoot lords and wealthy landholders could alone afford to maintain. But what entitles them to pre-eminence in this list is the lead which their Chiefs almost invariably took in all robberies upon a large scale, and their connivance and support of other classes. They were, in fact, in general, both the police soldiers and principal robbers : and the wealth and influence many of this tribe acquired enabled them often to escape detection, and almost always to evade punishment. Many of the Rajas and Chiefs, particularly those west of the Chumbul, entertained numerous bands of foreign troops to defend them against Mahrattas or Pindarries ; but they were unable to control those bodies of violent and unprincipled mercenaries, whose leaders changed from one service to another as their interest dictated ; and wherever they went, though always acting in the name of some local ruler, they were justly dreaded (particularly the Arabs) by the inhabitants, as the most lawless and profligate of all their oppressors. These mercenaries, who were chiefly from Arabia, Scind, and Mekran, came annually to Central India for service. That country was also the resort of a number of Patans from Western Hindustan. No act rendered the British power more popular than the complete expulsion of these trained robbers, none of whom remain [1818]. The character of all of them was nearly the same : their chief features were that of insolence and ferocity, which a sense of a stronger frame of body and mind inspires in men, who, like them, were mere soldiers of fortune with no knowledge whatever beyond that of the profession of arms by which they were supported, and whose leading principle of action was a contempt of the native population of the country in which they were employed." A very different picture this from that drawn by Captain Houghton of the Sebundies raised under British arrangements !

At page 198 we have, however, an opposite view of the Sebundy when treated properly :—"The revenues of Dhar were in 1819 two lacs and sixty-seven thousand : and in 1817, when the British troops entered Central India, they certainly did not produce 20,000 rupees. In that year this petty State

had a predatory army of 8,000 men: it has now a well paid body of 300 horse and 800 irregulars and Sebundies." At page 202 Sir John Malcolm uses almost the same language of the "Rajpoot Principalities West and East of the Chumbul."

Lastly, as regards Central India the Sebundy, as might be expected, found a place in the formal treaties and agreements of the period. Malcolm, Vol. II, Appendix page 341, gives the substance of the treaty with the State of Dewass, one of the terms of which was:—"to keep in service a contingent of fifty good horse and fifty infantry, to be at the disposal of the British Government; the remaining troops, Sebundies, &c., to be at command when required." And in the very last item in "the list of Miscellaneous Settlements, &c., with petty Chiefs, Thakoors, &c.," at page 351, we find the following quaint entry:—"Kishen Row Madhoo Biscottah with the British Government. The British Government to pay Madhoo Row 2,700 rupees annually in lieu of zemindary dues upon the Pergunnahs of Kusroude, Kaunapoor, and Burdiah, and a grant in Enam of the village of Chota Kusroude, paying for four successive years 500 rupees annually as his share of Sebundy expenses. July, 1819."

Sir John Malcolm's observations are confirmed by a contemporary vernacular work, the *Tarikh-i-Sorath*, compiled by Diwan Ranchodji Amaji, of Junâgadh, about 1825 chiefly from his own experiences. At page 177 of Dr. Burgess' edition, 1882, we find:—"Since Samvat 1836 [1779 A. D.], the Fort of Verâval had belonged to the Divân Raghunâthji, but three confidential leaders of sibandi, namely, Jamadars Râbyâ, Rakhyah, and Nebhor, and Taj Muhammad Qamar were decoyed by the Nawab to his own side from motives of gain, and they, forgetting the obligations under which they were to the Divân Sâheb Raghunâthji, expelled him from the fort."

The next mention of such troops is very interesting, as giving a new form to the name, probably due to folk-etymology:—"It happened that Mehtâ Purbhâshankar, a Bânsvâdâ Nâgar, who had been a confidential servant of Divân Dulabhji, swerved from his loyalty in consequence of the events of the times, and instigated the Jamadârs of the Sirbandi, namely, Rayah (Rabi, and Punah, and Jesâ, and Rahim, and Avud Ali to expel Dulabhji, which they did at the beginning of the rainy season." The Diwan seems to have recovered himself, however, for at page 183 we find:—"Divân Ragunâthji and Govindji managed the army, while Dulabhji, who suffered much from dropsy, remained in Junâgadh; and sent to them the war material they required, and took care that the Sibandis were paid."

Lastly we read at page 293, that "Vithal Rao began by introducing several Arab regiments into Nâgar under the command of Bodar Khatri and others, while Sundarji Khatri, the Nâyib of Ballantyne Sâheb on the other hand, as well as the new Sibandis, who had always been desirous of obtaining employment, all contributed to drain the treasury of the Jâm Sâheb, and succeeded, on account of the misunderstanding between Jagjivan and Motirâm, in emptying it."

I must here quote a possibly curious development of the word Sihbandi. In Carmichael's *Vizagapatam*, there is given a "comparative glossary of the wild tribes of the District," and at page 363 we read:—"English, grantor: Highland Khond, sibondi: Saura, savakari (soucar)." One would like to believe that, as the Sauras looked upon the local usurer as the "grantor" of all things worth having, so the Highland Khonds looked upon the Sibandis, who collected their taxes and fees, and kept them in order, as the authors and givers of all things!

The word Sihbandi as a vernacular term, however, so far as I can gather, belongs to South India, as it does not appear in Elliot's *Glossaries*, Carnegie's *Kachahri Technicalities*, Crookes' *Rural Glossary*, Grierson's *Bihar Peasant Life*, and similar works relating to Northern India. The only reference to the word in a work relating to really Northern Indian affairs that I have come across is in Francklin's *Military Memoirs of Mr. George Thomas*, 1803, and then only in describing the troops in the Maratha service. "Force of Ali Behaudur. Ali Behaudur, the Mahratta Chief, who is in possession of the open country, as likewise several of the strongholds in Boondeelcund, has four battalions. . . . without discipline or military regulation of any kind and may be considered as a rabble. The infantry consists of Rohillas, Boondeelahs and Malwa Sebundys, who are armed with matchlocks."

From the evidence above collected, we have, then, in the term "Sebundy," an interesting connecting link between old and modern times in India. We find the Mughals collecting revenue and tribute by periodical raids, with the aid of temporary irregular troops, into the more distant parts of their territories; a custom chiefly arising, it would appear, out of the disorder which ensued on the death of the great Mogul, Aurangzeb, in 1707 (the term Sihbandi does not occur in the list of infantry in the *Ain Akbari*, 1596).—and continued over most parts of India by the Marathas up to the days of British possession. We find the British Government succeeding to Maratha customs, and using irregular forces, raised for the occasion, to suppress local rebellion, and as rough police until the days of the Police Act of 1861, and then turning such of the irregular

troops as existed by degrees into regular police. We find police forces required for outlying provinces raised under the new title, but on the old system, as in the case of the Pegu Police Corps or Battalion, and for a time the old title surviving in isolated cases. And lastly in our own times, regular Police having been everywhere established, we have ourselves looked on while the Government, when taking possession of, or bringing into order, new areas, has found it inconvenient to keep up regular troops for the maintenance of order and has organized Military Police, as in Burma, Assam, and the Andamans; these Military Police being the direct descendants of the revenue-collecting Mulkiri troops, and the semi-police, semi-military Sebundies. Perhaps the very latest, and not by any means the least interesting developments of the Sebundy Corps are the Burma Sapper and Miner Corps and the Karen Battalion, maintained at Mandalay and in Upper Burma, and locally raised in 1887-88, precisely after the manner of their predecessors.

One word more. On the 18th February, 1859, the Madras Government wrote that :—"The arms and accoutrements were directed to be the same as those in use with the Ganjam Sibundies, and it has been decided that the full dress will be of dark blue cloth made up, not like the tunic, but as the native *ungreekah*, and set off with red piping. The undress clothing will be entirely of *khakee*."

On the subject of *khaki*, Yule has, as usual, an interesting note, but he has only one quotation of 1878; so the one above given is the earlier by 20 years. What Yule says, *Hobson-Jobson*, s. v., *Khakee*, is as follows:—" *Khakee*, from Hindustani '*khaki*', dusty, or dust-coloured, 'from Persian' '*hhak*', earth, or dust'; applied to a kind of light drab or chocolate-coloured cloth. This was the colour of the uniform worn by some of the Punjab Regiments at the siege of Delhi, and became very popular in the army generally during the campaigns of 1857-58, being adopted as a convenient material by many other Corps. The original khakee was a stout cotton cloth, but the colour was also used in broadcloth. It is said that it is about to be introduced into the army generally. 1878. 'The Amir, we may mention, wore a *khaki* suit, edged with gold, and the well-known Herati cap' ".—(*Saturday Review*, November 30th, page 683.)

I may add that the word is in Fallon's *Dictionary of Hindustani* (1879), which is full of colloquialisms, as the "Uniform of Panjabi Infantry", and in this he is followed by Platts, *Urdu Dictionary*, 1884. But I cannot find it in Forbes' *Hindustani Dictionary*, 1857, in Bates' *Hindi Dictionary* 1875, in the *Punjabi Dictionary* of 1854, or in Brown's *Dictionary of Mixed Telugu*, 1852.

I may here give, as a final word, a little evidence of my own. When I joined the First Goorkha Light Infantry in 1878, the uniform was red and khaki: red. I fancy in remembrance of its being the old and faithful Bengal 60th, and khaki in memory of its share of the days in front of Delhi. A victim to the old order changing, the Regiment is now the First Gurkha Rifles, dressed in green with scarlet facings. The regiments of the Panjab Frontier Force, the original wearers of "Drab" in the British Army, were mostly raised in 1846, and the following years, and hence "Khakee" should date from about then, unless that Force in its turn copied some other Army.

R. C. TEMPLE.

THE QUARTER.

A MARKED improvement in the relations between England and Germany; the trial and conviction of Dr. Jameson and his comrades; the extension of the native rising in Rhodesia; the operations of the Egyptian army in the Soudan; serious insurrections against Turkish authority in Crete and Macedonia; the passing of the Irish Land Bill through both Houses of the British Parliament; the visit of Li Hung Chang, the Chinese Ambassador to Europe; the arbitration negotiations between Great Britain and the United States; the proceedings in connexion with the approaching Presidential election in the latter country, and the death of the Sultan of Zanzibar, followed by a *Coup d'état* and the bombardment of the palace by British gun-boats, are the most noteworthy of the events of the past quarter, which, as far as India is concerned, has been almost wholly bare of incident.

The only really serious plea raised by the defence in the Jameson case was the technical one that the Foreign Enlistment Act was not in operation at Mafeking or Pitsani Pitlogo. For the rest, Sir Edward Clarke contented himself with denying all hostile intention against the Boer Government on the part of his clients, and contending that the preparations at Mafeking in November and December were necessary in connexion with the transfer of the Bechuanaland Police to the Chartered Company. He was compelled, however, to admit that Dr. Jameson had in his mind the possibility of having to operate within the Transvaal for the protection of the people of Johannesburg, and to argue that what occurred on the march was irrelevant. But the facts on the other side were overwhelming, and the summing up of the Lord Chief Justice left no loophole of escape. In point of law, he said, "the expedition was not less an expedition against the dominion of a friendly State if it was not aimed at overthrowing the Government, or if it was prompted by philanthropic or humane motives, so long as it was designed to enter the Transvaal with the intention of interfering, either by show of force or by action, with the administration of the Transvaal laws or of overawing the Government in order to get a change of the laws." He concluded by putting to the jury four questions, which he asked them to answer, though they might, if they chose, return a general verdict. The questions were as follows:—"Were the defendants, or any and each of them, engaged in the preparation of a military expedition against

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a friendly State—namely, the South African Republic? Were the defendants engaged in assisting such preparation, or did they aid and abet in it? Were the defendants employed in any capacity in such expedition? Did the Queen exercise sovereignty and dominion in the district in which Pitsani Pitlogo is?" After an hour's deliberation the jury gave affirmative answers to all these questions, and afterwards, by direction of the Court, they returned a verdict of guilty against all the defendants, adding, however, a rider to the effect that the State of Johannesburg furnished great provocation. The Lord Chief Justice then sentenced Dr. Jameson to fifteen months', Sir J. Willoughby to ten months', Major Robert White to seven months', and Colonel Henry White, Colonel Grey and Major Coventry each to five months' imprisonment without hard labour. The defendants were at first treated as ordinary prisoners and removed to Wormwood Scrubs prison; but ultimately the Crown exercised its prerogative and directed that they should be treated as first-class misdemeanants, on which, they were re-transferred to Holloway Gaol.

The trial was attended by something like a revulsion of popular feeling in England, and the justice of the verdict is generally admitted, while on the Continent it is applauded as a proof of the impartiality of British Judges.

While the trial was going on, the Committee of investigation appointed by the Cape Assembly submitted their report, a conjunction of events which has been severely and not unjustly criticised, as opposed to British notions of what is fair, or even decent, in such matters. The report is most damning both of Mr. Rhodes and of the Chartered Company's officials at Capetown. In it the Committee declare their conviction that the latter knew, or were in a position to know, of the plot, and two of the directors, Mr. Rhodes and Mr. Beit, and the Administrator, Dr. Jameson, and the Secretary were "active as promoters and moving spirits throughout." "The date of the inroad was fixed weeks beforehand, and the letter of invitation was obtained four weeks before the ostensible date of signature." "As regards the Right Hon. Cecil Rhodes, the Committee can come to no other conclusion than that he was thoroughly acquainted with the preparations that led to the inroad, and that in his capacity as controller of three great joint-stock companies—the British South Africa, the De Beers, and the Gold Fields of South Africa—he directed and controlled the combination which rendered such a proceeding as the Jameson Raid possible."

The general conclusion come to by the Committee is that—"Upon these facts it would appear that Mr. Rhodes did not direct or approve of Dr. Jameson entering the territory of the South African Republic, at the precise time when he did do

so, but the Committee cannot find that that fact relieves Mr. Rhodes from responsibility for the unfortunate occurrence which took place. Even if Dr. Jameson be primarily responsible for the last fatal step, Mr. Rhodes cannot escape the responsibility of a movement which had been arranged, with his concurrence, to take place at the precise time that it did, if circumstances had been favourable at Johannesburg."

In view of the Report, Mr. Rhodes has since, somewhat superfluously, as it would seem, offered to place himself at the disposal of His Majesty's Government for trial. The Government have determined to appoint a Parliamentary Committee of fifteen members to enquire into the Chartered Company's administration and report thereon, and further to report what alterations are desirable in the Government of the territories under the Company. Messrs. Rhodes, Beit and Harris have all been permitted to resign their appointments under the Company; but in announcing their acceptance of Mr. Rhodes' resignation, the Directors stated that he would remain in Rhodesia to assist the Company.

There has been a revival and serious extension of the rebellion in Matabeleland, and the Mashonas have also risen in arms against the settlers, a large number of whom have been murdered in the Salisbury and Mazoe districts. An attack by General Carrington on the rebel stronghold in the Matoppo Hills was only partially successful. Not only are our forces evidently too weak in numbers to make much impression on the enemy, but, owing to want of supplies or the means of transporting them, it appears impossible to re-inforce them with advantage. The latest news, however, is that the rebels are getting tired of the war, and negotiations are on foot between Mr. Rhodes and the leading chiefs which, it is hoped, will result in their submission.

There seems to be no doubt that the chief cause of the rising was the stringent measures, including the slaughtering of diseased cattle, which the Chartered Company felt themselves compelled to take to check the spread of the epidemic of rinderpest which had broken out.

The Egyptian force assembled at Akashah, and consisting of three brigades, with artillery and Maxim guns, began their advance from that place, under General Kitchener, on the 6th June, and, early the next morning, captured Firkat, where the enemy were completely surprised, in very dashing style. The dervishes fought with determination for some time, but were, in the end, completely routed, losing about a thousand in killed, besides many prisoners, and all their camp and transport. Among the killed were some of their principal leaders, and it is said that only about two hundred of their number escaped. The loss on the Egyptian side was twenty killed and eighty

wounded, the latter including three officers. A portion of the force, under Major Burn-Murdoch subsequently advanced and occupied Suardeh without opposition.

It is officially announced that the Government have determined to occupy Dongola as soon as the state of the Nile admits of it, and preparations for the further advance are now nearly completed, a railway having been constructed to Kosheh which, however, has just been seriously damaged by storms, and the gun-boats having all passed the cataracts.

Up to Dongola, General Kitchener has been given a free hand, but the Government disavow any immediate intention of advancing beyond that place. Their moderation in this respect, however, is admittedly based on financial considerations alone, and Lord Salisbury, in a speech in the House of Lords, in reply to Lord Rosebery, has boldly declared that the recovery of Khartoum is essential to the safety of Egypt.

The case for the Government policy, which commands the warm approval of the Triple Alliance and the opposition to which at Home has lately very much toned down, is strongly put by the writer of an exceedingly able article on the situation in Egypt, in the *Edinburgh Review* for July.

"For mere purposes of defence," he says, "no doubt her present frontiers are as good as any to ward off Dervish raids. But is there never to be an end of raiding Dervishes? Is Egypt to acquiesce for ever in the presence at her gates, of a barbarous Military State, with which not even a truce is possible, because its whole *raison d'être* is to wage incessant war, and primarily to wage war on Egypt? A man may be fairly confident that his doors and shutters are strong enough to keep out burglars, but for all that he will hardly feel at ease with a gang of professional burglars permanently located in the adjoining street. It is not a better frontier that Egypt wants, but better neighbours. It may or may not be to her advantage to own Khartoum, but it must be enormously to her advantage to make an end of its present owners—to destroy, as soon as she can destroy, that hostile power on her flank which exists to compass her destruction. * * * It is sheer necessity alone—her inability to put an end to the intolerable—which has caused Egypt to acquiesce for eleven years in the establishment of an implacable foe upon her southern frontier. That she has been able to exist at all with such a neighbour has been due, in the first instance, to the presence of a large British garrison, and latterly to the success of British officers in creating a native army which is an efficient fighting machine. The first duty of that army has been to protect Egypt against the permanent menace of Mahdism. Its ultimate object must be to put an end to that menace for good and all."

That, it seems to us, is as nearly as possible unanswerable. It is as well, however, that the Government should be under no delusions as to the magnitude of the task it is undertaking, and it is quite possible to draw an unduly favourable augury in this respect from the victory snatched from an incompetent commander and a sleeping enemy at Firkat.

The Government of India sent Home a very outspoken and strongly argued despatch against the decision of the Government to charge India with the ordinary expenses of the contingent despatched from this country to Suakim. From that decision, however, the Government, in spite of a strong expression of feeling in the country that it was at once unjust and paltry, and the opposition of a considerable section of its own supporters, declined to swerve; and an amendment moved by Mr. John Morley, in the House, condemning it, was defeated by a large, though a much reduced, majority. Otherwise, India may fairly congratulate herself on the result of the discussion, which has elicited from Lord George Hamilton an assurance that, in the event of her requiring temporary military aid from England, she will obtain it on similar terms.

Among the witnesses examined by the Commission on Indian Expenditure, which has lately opened its doors to the reporters for the Press, have been Lords Wolseley and Cromer. The former, in the course of his evidence, which was mainly directed to showing that India ought to be charged for all expenditure, military or naval, which, but for her existence, would not have been incurred, and that the short-service system has proved both economical and otherwise beneficial to her, made some very uncalled for and injudicious remarks regarding the Indian army, which have created widespread indignation among Anglo-Indians both in this country and in England. Having declared that the whole English army maintained in England was a reserve to be sent to India whenever India required it, and being asked whether the Indian army also did not serve as a reserve for England, he replied that, though occasionally two or three battalions were employed for English requirements for a few months, we should not like to put Indian troops in front of European soldiers, adding: "I should be very sorry to go to war with the native troops of India to fight France or Germany, or any other State in the world." This has been interpreted as a disparagement of the fighting qualities of Indian troops, and, though it will bear a different construction, would have been better unsaid. It is not certain, however, that Mr. Caine, who pressed the question regarding the value of Indian troops was not as much to blame for it as the witness.

Lord Cromer, in the course of his evidence, which turned

mainly on the questions of financial control in India, the respective powers of the Viceroy and his Council, the Financial Member and the Secretary of State, and the constitution of the Council in its bearing on financial administration, supported Mr. Balfour's suggestion of a tribunal of arbitration for the decision of disputes as to the apportionment of charges between India in England in cases in which both are interested.

"My view about the question of the Home charges," he said, "is this. I believe there is a very general wish in this country, in Parliament, and among Ministers of whatever party, not only to be just, but to be generous to India; and I think it would be an exceedingly good thing if you could arrange to have a court of arbitration to deal with these matters. It is, not only desirable that the settlement should be just; but it is of the highest importance that everybody in India, not only the natives, but the Europeans and the Government themselves, should think that it is just. I do not think that under the present system there is any means of convincing the people of India on this point. The matter is supposed to be arranged between the departments, and the general opinion is that the English view is advocated with greater strength and more successfully than the Indian view. The very fact that this opinion exists, whether it is right or wrong, is an evil. A great many matters might be the subject of equitable compromise. Take, for instance, the case of Aden. It is perfectly impossible for any one to lay down chapter and verse as to how much India should pay for Aden. She is very much interested, of course; but so are Australia, Hongkong, the Straits Settlements and English commerce generally."

In the course of his further examination he added that he thought there should be a permanent board of three or five persons, and that, if its awards were liable to be over-ruled, it should be only by a Resolution of Parliament, or of the House of Commons. Lord Welby also declared it to be his conviction that there could be no satisfactory arrangement of these matters between India and England without arbitration, and said that he inclined to the opinion that there should be a permanent board.

Li Hung Chang's visit has included St. Petersburg, Berlin, Paris and London. At none of these capitals, the first not excepted, if his statements are to be believed, has anything in the shape of a treaty been concluded; at none has he given any of the big orders for which manufacturers were looking. In all, and in none more than in London, his reception has been warm and his demeanour flattering. The principal object of his visit to England is to obtain the consent of the British Government to the doubling of the Chinese Customs tariff, at present fixed at five per cent., and for this he seems to have made out

a strong case. Not only, owing to the great rise in the value of gold, does the customs revenue go only about half as far as it did in European payments and purchases, but Japan has been allowed to raise her tariff, and it is difficult to see what other means China has of meeting the heavy expenditure she must incur if she is to do anything effective towards setting her terribly dilapidated house in order. It is believed that the other Powers have signified their willingness to consent to the revision, no doubt at a price ; and one of the difficulties of the situation is probably to ascertain what that price is, so as to be able to extract at least a corresponding *quid pro quo*.

Though Lord Salisbury has stated from his place in the Upper House that the negotiations with the United States regarding the Venezuelan boundary are advancing favourably and with entire friendliness on both sides, they appear to have made very little progress, the chief obstacle to an agreement being the reluctance of the British Government to include territory settled by its subjects in the arbitration. Out of the dispute, however, has arisen an independent negotiation for a general arbitration treaty between the two countries, and there seems to be a fair prospect that this will end in an agreement, though, at present the parties, besides differing on minor points, are unable to agree as to the plan to be adopted for the exclusion of matters held by either Power to involve its honor or integrity, Lord Salisbury proposing that "any difference which, in the judgment of either Power materially affects its honour or the integrity of its territory, shall not be referred to arbitration . . . except by special agreement," and Mr. Olney proposing to make the arbitration unlimited unless either Power, by an Act of Congress or Parliament, or a Resolution, declares the matter in dispute to be a question of honour or integrity.

The debate on the Indian Budget in the House of Commons, which was even more perfunctory than usual, took place on the 13th ultimo. Lord George Hamilton, in the course of his speech, defended the recent re-adjustment of the Cotton duties, which, he contended, had placed the Indian and Lancashire industries on an equal footing. Referring to the railway policy of the Government, he admitted that its piece-meal character was unfavourable to progress, and expressed his opinion that the annual conference of railway officials which it was proposed to hold, would tend greatly to remedy the defect. In the course of his statement he took the opportunity of administering what was generally interpreted as a rebuff to Lord Wolseley, by endorsing the testimony borne sometime ago by Sir Henry Brackenbury, in the Council, to the efficiency of the Indian Army, and declaring his conviction that it was fit to go anywhere and meet any troops in the world.

A motion by Sir W. Wedderburn, for the annual appointment

by Parliament of a select committee for the examination of Indian accounts, was rejected by a majority of 110 to 30.

The results of the electoral campaign in the United States seem so far to point to the triumph of the Republican party, who have chosen Mr. M'Kinley as their candidate, on a sound-money and protectionist platform, the election of Mr. Bryan, a comparatively unknown man, of populist sympathies, and a pronounced silverite, by the convention at Chicago having produced a disruption of the Democrat party. Mr. Bryan's pronouncement in favour of free coinage is loudly condemned by the more moderate Bimetallists, who fully recognise the futility of any attempt to rehabilitate silver that does not rest on international agreement; and the action of the Chicago convention is regarded as a serious blow to their cause.

Parliament was prorogued on the 14th August. The Queen, in her speech, said:—"My relations with foreign Powers continue friendly. The hostile movements of the Dervishes on the Nile and against the Italian positions in Abyssinia convinced me that it was necessary that the Egyptian Government should arrest their advance, and by my advice and sanction an expedition was undertaken to restore to Egypt her lost territory as far as Dongola. A considerable portion has already been recovered by a short but brilliant action fought at Ferket. The condition of some portions of Turkey, and especially of Crete, continues to cause me much anxiety, and, while observing strict neutrality, I have endeavoured, conjointly with the Powers, to effect a reconciliation by proposing to establish a system of government acceptable alike to Christians and Mussulmans."

The Queen then trusts that the Matabele will accept her clemency; refers to the delimitation agreements with the Ameer and the Shah, and adds that friendly relations are maintained with the tribes on the road to Chitral.

The Bills passed during the Session include the Irish Land, Agricultural Land Ratings, Uganda Railway, Light Railways, Locomotives on Highways, Housing of the Working Classes (Scotland), Conciliation, Coal Mines Regulation, Diseases of Animals and Divorce Act Amendment Bills, and a number of minor measures. The Irish Land Bill has been passed in a form in which it satisfies neither the landlords nor the extreme Irish party, but is generally accepted by moderate men as preferable to the dead-lock, or, not improbably, the political confusion, that would have ensued had the Government shown a less opportunist temper. By their wholesale rejection of the amendments brought forward in the interest of the landlords, the Government, however, in view of the assurances they had given on the subject, have exposed themselves to a charge of something like breach of faith. The Bill met with

much opposition in the House of Lords, where several amendments in the interest of the landlords were carried against the Government, but the re-amendments of the Commons were accepted on the representation of Lord Salisbury that would compel the Government to reconsider their position.

Owing to the persistent obstruction of the opposition, nearly a thousand amendments being threatened, the Government were compelled to choose between withdrawing the Education Bill and abandoning their Irish legislation, and they wisely adopted the former course, announcing, at the same time, that a Bill on similar lines would be introduced in the early part of next Session, with special reference to the requirements of voluntary schools. The introduction of so complicated a measure, while the more urgent Irish Land Bill was undisposed of, is generally considered to have been a tactical blunder. The London University Bill was also abandoned at the last moment. The Deceased Wife's Sister Bill, introduced in the House of Lords, was passed there by a majority of 38, but has not been dealt with by the House of Commons.

The rebellion in Crete, which has attained serious dimensions, has furnished occasion for a fresh outbreak of anti-British feeling in Germany, owing to the British Government having declined to accede to a proposal made by Austro-Hungary for a joint blockade of the Island by the Powers with the view of preventing the landing of armed bands from Greece. The proposal, however, was opposed by Turkey, and coldly received by Russia and France, so that the result is rather a triumph for British diplomacy than otherwise. The Powers subsequently agreed to a scheme of reform for the protection of the Christian population of the Island, which the Porte, it is understood, is prepared to accept with certain modifications.

The sudden death of the Sultan of Zanzibar has furnished occasion for one of those displays of vigour and promptitude on the part of England which are generally reserved for small offenders. One Khalid, of the nature of whose claims we are unaware, having usurped the succession and occupied the palace with an armed force, variously stated to have been 700 and 2,000 strong, twelve hours' notice was given him to surrender, under pain of a bombardment by the British gun-boats assembled in the harbour. The usurper proving contumacious, the threat was punctually carried out, with the result that Khalid fled to the German Consulate and the palace was reduced to ruins. The loss of the enemy is said to have been heavy, that on our side being confined to one petty officer wounded.

An extraordinary outrage, and one which may possibly lead to very serious consequences, is reported from Constantinople, where a band of forty Armenians attacked and seized the Ottoman Bank. Ultimately, after firing and throwing

bombs upon persons in the streets, who are declared by the Porte to have been harmless passers by, they were induced to surrender to Sir Edgar Vicent, the Governor of the Bank, who was allowed to convey them in his yacht to Gulnare. They declare the object of their mad escapade to have been to demonstrate against the desertion of the Armenians by the Powers. The outrage was the signal for renewed massacres of Armenians in the capital, which have found the subject of a vigorous protest on the part of the Powers.

Among minor events of the Quarter have been the safe return of Dr. Nansen, who was found in Franz Joseph Land by the Harmsworth Expedition, followed by that of the *Fram*, which he had left some time previously, after having reached Lat. 86°-15'; the marriage of the Princess Maude of Wales to Prince Charles of Denmark, and the meeting of the International Socialist and Trades ; Unions Congress in London, which was attended by a succession of 'violent scenes and general confusion.

In India the period under review has been unmarked by any public events of much moment. The work done by the Council at Simla has been of little more than a formal character. Two Bills of some general interest have, however, been introduced,—one to provide for the segregation of lepers in certain cases, on similar lines to those followed in the recent Bill for Bengal, and the other to enable the Government to realise the customs' duty on goods received from without by post. The only business of importance transacted by the Bengal Council, beyond the answering of numerous interpellations, many of them of a very trivial character, has been the passing of the Municipalities Bill, which has, in several respects, been much improved by the Select Committee.

The Commission appointed to enquire into the best means of improving the labour supply in Bengal, with special reference to the needs of the coal-mining and tea-planting industries, and the system of recruitment, have submitted their Report. They have come to the conclusion that a Central Agency for the supply of labour for both industries in common is beset with insuperable difficulties, and that, even for tea alone, such an Agency is impracticable in the absence of a common understanding among employers of which there seems to be no immediate prospect. They, however, recommend that a Central Agency for the supply of labourers to the Bengal Coal-fields be established at Benares, and that Government should assist the work by circulating, through the district officials, information regarding the wants of employers and the terms offered by them, and in various other ways. They further recommend that agreements for one year should be taken from immigrants, but consider that no law, beyond the Indian Penal Code and

Act XIII of 1859, is at present needed. As regards labour for the tea districts, they recommend, among other things, that Act I of 1882 should be cancelled as far as the districts of Sylhet and Cachar are concerned, certain additions being made to Act XIII of 1859; that the Free Contractors system should be prohibited; that all persons concerned in recruiting should be required to take out licenses, and that a system of initial registration should be introduced in the recruiting districts and a Superintendent of Emigration posted in them.

The new three per cent. Government loan for four crores of rupees was taken up at an average rate of a little over Rs. 103, the minimum rate at which tenders were accepted being Rs. 102, 9 annas, and the total amount to be received Rs. 4,12,46,888. The aggregate amount of the tenders slightly exceeded twelve crores.

The scheme of the Port Commissioners of Calcutta for the discharging of import cargo at the jetties and the loading of export cargo at the Kidderpore Docks, having been sanctioned by the Government, is to be put in force in March next.

Mr. Francis William Maclean, Q.C., a Master in Lunacy, has been appointed to the office of Chief Justice of Bengal, in succession to Sir Comer Petheram, who has been compelled to retire by ill-health, and General Sir Baker Russell to the Bengal Command, in succession to General Sir W. Ellis, who died of cholera at Naini Tal on the 5th August.

Besides the names of Sir William Ellis and Sir James Browne, K.C.S.I., C.B., Agent to the Governor-General in Baluchistan, who died at Quetta on the 13th June, the obituary of the Quarter includes those of Lady Tennyson, widow of the poet, Mrs. Harriet Beecher Stowe, Sir John Millais, Sir William Grove, M. Jules Simon, Edmond de Goncourt, Ernest Rossi, Sir George Webbe Dasent, Sir T. G. Logan, General S. F. Macmullen, Major-General J. S. Trevor, Sir Joseph Prestwich, Sir Augustus Harris, Sir John Pender, Sir Augustus Paget, Ernst Curtius, the Duc de Nemours, General T. G. Kennedy, Colonel Robert Home, Sir H. P. Anderson, Sir H. B. Lumsden, Major-General H. T. Tucker, Major-General F. B. G. D'Aguilar, General A. Tisdall, the Earl of Limerick, General Walton, Mr. Henry Dunckley, Mr. Charles Dickens, son of the Novelist, Nawab Sir Abdul Ganni Miah, Surgeon Lieutenant-Colonel J. F. P. Mc'Connell, and Mr. W. H. Targett.

September 5, 1896.

J. W. F.

SUMMARY OF ANNUAL REPORTS.

Report on the Administration of the N.-W. Provinces and Oudh for the year ending 31st March, 1895. Allahabad: Printed at the North-Western Provinces and Oudh Government Press, 1896.

A BRIEF SUMMARY of the year's administrative results shows as follows:—

Harvests were inferior to those of the preceding year, owing to untimely and abnormally heavy rainfall, especially during the month of October. The public health also suffered from the same cause, cholera and malarial fever being very prevalent, notably in the Sub-Himalayan districts. There was also much disease among cattle, success in treatment of which has not yet been attained. Food grain prices were, however, even lower than in 1893-94, which is perhaps one of the most important points to be considered.

The Native States of Rampur and Teuri appear to have been satisfactorily and profitably governed and administered.

The condition of Provincial Finance does not at first sight appear quite as flourishing as it might be, the budget estimates providing for expenditure exceeding expected receipts by Rs. 8,66,000, which sum is, however, provided for out of the Provincial balance of Rs. 45,24,000. A special contribution of 5 lakhs of rupees had to be made to the Imperial Exchequer, which probably disturbed the financial equilibrium; other causes also existed for enhanced expenditure, bad harvests necessitating remissions of revenue and causing decline in the sale of court-fee stamps; increase in exchange compensation allowances, growth of superannuation payments, progress in re-organisation of Police force and a larger number of prisoners received in the Jails, all tend to swell the debit side of the account and are charges which are not likely to diminish. The closing balances of Provincial and Local Funds were Rs. 30,45,000 and Rs. 10,68,000 respectively.

Public Works Establishments cost Rs. 59,000 more than in the preceding year, while Rs. 2,44,770 less was spent on Buildings and Roads. Canals added Rs. 1,68,705 to their total capital outlay, but cost Rs. 68,161 less for working expenses, while 168 additional miles of new channels were opened during the year, the total mileage now amounting to 11,060 miles; net revenue of canals is now 5·12 on capital outlay. The

total receipts on all productive works exceeded working expenses by Rs. 1,36,64,105, and those on Minor Works by Rs. 18,07,064.

Land Revenue is in a satisfactory condition, there being only Rs. 20,266 of outstanding arrears, while 9 districts in Oudh and 16 in the N.-W. P. shew clear balance sheets. Arboriculture progresses satisfactorily, but Sericulture has not yet proved a success, and the experiment will be continued only on a very limited scale. Results of Horse-breeding operations are not particularised, but the idea of a Provincial Veterinary College has been abandoned.

Under the heading of Excise, the sale of country liquor is responsible for the major portion of the increase of 5 per cent., but other sources of Separate Revenue, such as Hemp drugs, Opium, Stamps and Income Tax exhibit some falling off.

The "Reserved" Forests were added to by only 3 square miles, but an addition of a large area in the hills of the Kumaon District increased that of "protected" forests to 9,319 square miles; the work of settlement and demarcation is steadily pushed forward. Financially, forests have brought in Rs. 16,402, addition to the surplus, receipts having increased in larger ratio than expenditure.

Education shows a marked falling off and is evidently not much sought after; although 15 more schools were opened the percentage of attendance in them from among the total number of children of school-going age was but 7.58 of males and 3.6 of females, in contrast with 19.84 and 1.97, respectively, for the whole of India. It is satisfactory, however, to learn that Mahomedans are availing themselves more largely of education than Hindus.

Vital Statistics show the year under report to have been the most unhealthy, as 1893-94 was the healthiest on record, the death-rate rising from 24.10 to 42.51 per mille, and that of births declining from 40.95 to 39.70, infant mortality especially showing an increase of 32.3 over the average for the past decade; the percentages were more unfavourable among the urban than among the rural population. Cholera was responsible for 178,079 deaths, or 8 per cent, while 75 per cent. were put down to fever, that convenient classification for all ailments beyond the villager's skill at diagnosis.

Large schemes for water-supply were completed at Cawnpore and Lucknow and sanctioned for Meerut; other sanitary measures made much progress. The proportion of successful vaccination cases has slightly increased, while the mortality from small-pox, .09, was the smallest ever recorded. Hospital accommodation has been increased, and the year closes with a balance of Rs. 1,97,685 for further progress in this direction.

The year under report has been one of general commercial prosperity throughout the Province.

Municipalities, Police, Justice, both Civil and Criminal, and Jails will be treated separately when reviewing the Reports on these subjects.

Report on the Administration of the Andaman and Nicobar Islands and the Penal Settlements of Port Blair and the Nicobars for 1894-95. Calcutta : Office of the Superintendent of Government Printing, India, 1895.

THE primary desiderata in a convict settlement; being opportunity of safe custody and a reasonably healthy climate, would, judging from the Report now lying before us, appear to have been secured in the Andaman Islands; for, out of a total criminal population resident therein numbering, at the close of the year under review, *i. e.*, on 31st March 1895, 10,427, there were only 40 escapes reported, of which 25 resulted in recapture, and the balance 15 have probably failed, as the neighbouring aboriginal inhabitants, notably the Jarawas, are apparently deadly hostile to all human beings save that of their own clan : 82 convicts are entered as remaining uncaptured from those who had escaped in previous years, and these have probably met with a similar fate, as there is no record made of any of the runaways having reached their homes in India. The death-rate also is exceedingly low, that calculated for the Calendar year 1894 being but 256, while the table on page 35 shows 238 'releases,' of convicts who had served periods of from 17 to 30 years' of transportation or imprisonment, proving that there "expectation of life" is at least as favourable as amongst the free population.

Among so large a number of criminals who have all been incarcerated for heinous crimes, it is a matter of much interest to trace out to what extent a natural tendency to crime is found to exist. We find, then, that 14 cases of murder and attempt to murder were tried by the Sessions Court during the 12 months, in which 19 persons were concerned, of whom 8 were executed, 1 transported for life (afterwards commuted to 5 years' penal servitude) and 10 acquitted. The murderous instinct had evidently not been altogether extinguished. As to ordinary offences committed in jail against regulations, &c., &c., there were only 1616, against 2068 during the previous year, which is perhaps a smaller ratio than that obtaining in the ordinary Indian Jail.

The conduct of the Military Police appears to have been excellent. Doubt is thrown on the correctness of the returns by the Chief Commissioner, somewhat invidiously it would

appear, as the only valid reason he adduces is that a high state of discipline cannot be maintained at so small a cost in punishment. The strength of the force is, of all grades, 642 77 per cent. being recruited from the Panjab, *viz.*, Sikhs 46 and Panjabi Mahomedans and Hindus 21 and 9 respectively.

The Military guard stationed on the Islands consists of 3 Officers and 140 Non-commissioned Officers and men, British, and 3 European Officers with 5 Native Officers, and 278 Non-commissioned Officers and men of a Native Regiment.

A very large portion of the Report is taken up with details of commercial operations regarding agriculture, timber and other cultivation, and is not of much general interest; a brief notice will suffice as regards the financial condition of the Administration. There has been a net increase in expenditure of Rs. 2,13,308 over that for the year 1893-94, which is more than accounted for by the compiler of the Report, with the items, "Construction of Cellular Jail," Rs. 39,798; "Tramway for Jail," Rs. 12,962, and Falling off in Forest Revenue, Rs. 2,05,482: total, Rs. 2,58,242. The two first-named items are plainly not of annual occurrence, but the third and major one must always constitute a floating factor, such events as falling prices of timber in the London market, diminished demand in the Settlement itself, &c., with consequent holding up of stocks—the chief causes complained of—must always be possibilities, and such sources of revenue cannot be treated as certainties without risk of upsettal of financial calculations. The compiler of the Report cannot be congratulated on the clearness and conciseness of his production. There probably is a fund of information contained in it, but the extraction and classification thereof would be a work of much time and labour.

Administration Report on the Jails of the Panjab for the year 1895. By Surgeon Lieutenant-Colonel T. E. L. BATE, Inspector General of Jails, Panjab. Lahore: The Civil and Military Gazette Press, 1896.

BEFORE discussing the purely statistical portions of the Report under review, we would wish to express our appreciation of the manner in which the various points have been placed before the reader. All verbiage and circumlocution have been carefully eliminated; each of the 91 paras into which the Report has been condensed is concise, clearly expressed and to the point; facts and figures are easily got at, and their interest and utility are thereby much enhanced.

Omitting Chapter I, "Judicial Statistics," the matter contained in which may be dealt with more appropriately when reviewing the "Criminal Administration of the Province,"

we pass on at once to particulars more strictly pertaining to results of jail management during the year.

While the authorities may be congratulated on the insignificant number of escapes effected during 1895, *viz.*, nine intra-mural and a like number extra-mural, we entirely concur with Surgeon Lieutenant-Colonel Bate in his demand that the initial proceeding should be made, as far as *mechanical* means will admit, impossible. This is but common justice to those in immediate responsibility. Bribery and carelessness are factors not always controllable, but stone and iron can be relied on and should be utilised to the utmost extent. Offences committed by members of the jail establishments under the heading "Criminal" are only 6 per cent. on the total number of individuals employed: "Departmental" offences show the large total of 2,573, but some of these appear to be of a particularly trivial nature, such as "being without uniform or not falling into 'present arms' to Superintendent," 24; "allowing prisoners to make a noise," 26; "backward in drill," 18; "dirty arms, accoutrements or clothing," 22. Punishment in cases such as these can be necessary only, as the Inspector General phrases it, with a view to the establishment of a high state of discipline.

The total number of offences committed by convicts while undergoing their respective sentences would, at first sight, appear a very large one, but analysis shows that only 117 of them were of a really serious nature, *i. e.*, "assaults, mutiny, and escape." "Relating to work" is responsible for 24,321, and "Prohibited articles," for 2,733. A preternatural zest for, to themselves, profitless labour, or a sudden distaste for tobacco is an unlikely outcome of rigorous imprisonment, nor are such proclivities apparently fostered by its continuance, for we find from a table appended to para. 43, that "Habituals" receive 0.46 of the punishments thus inflicted, albeit they form but 12 per cent. of the jail population.

The death-rate for the year is a satisfactorily low one, contrasting favourably with that of the free population, being 21.80 compared with 29.29, and influenza is, probably with justice, held responsible for an increase of 3 per cent. over 1894; this latter year was, however, an exceptionally healthy one. During the remaining 18 out of the 20 preceding years, the percentages ranged from a maximum of 140.10 in 1879, to a minimum of 26.60, in 1893.

Jails cannot well be expected to bring in a profit, or even to pay their own expenses, but it appears that more might be done in this direction. "Actual earnings," Rs. 1,31,500, on an expenditure of Rs. 6,92,772, yields only 18 per cent., and this in face of the fact that all paper manufactured and litho-

graphic printing done (the two principal industries) are at once taken over and credited by the Local Government.

Report on the Land Revenue Administration of the Punjab for the Agricultural year 1st October 1894 to 30th September 1895. Lahore : The "Civil and Military Gazette" Press, 1896.

THE rainfall during the twelve months under consideration is aptly described as copious, but capricious. But, taking an average of the entire area actually cultivated, the season would appear to have been, on the whole, fairly favourable, though a trifle below the average. There was no actual deficiency in rain.

Cotton, in particular, appears to have yielded the best crop grown in a period of ten years, although it too suffered to some extent from rain irregularity. As a proof that the season was slightly deficient, we find that, of the cultivated area, 90·6 bore at least one crop during the year, whereas the average is 91·3, and last year the figure stood at 96·9; but the percentages for ten years, with a maximum of 99·7 and a minimum of 83, show that fluctuation is the rule.

Irrigation shows a large decrease in area supplied, *viz.*, 352,747 acres less than in 1893-94: this was due to the unusually heavy rainfall before the "Rabi" sowing time, in the Delhi division during November, and throughout the Province in December, rendering irrigation unnecessary. The "Rabi" crop was, as usual, the most valuable one to the agriculturist.

Wheat, as usual, formed the major crop raised, being 65·7 of the irrigated "Rabi" harvest, and 54·8 of all gathered in at that season, and *wheat* was exported to the amount of 527,120 tons, being nearly double the average shipment. This is the largest total save one ever exported, the exception being in 1891-92, when it reached 535,473 tons; only on these two occasions has the quantity sent away exceeded the half million. The value of the above export, calculated on an average of the prices ruling during the last quarter of the year, was Rs. 2,89,32,268, which alone sufficed to pay the land revenue, Rs. 26,69,262, and leave a balance of Rs. 22,38,636. Twenty-two per cent. of the entire crop was exported; causing, according to the Financial Commissioner's calculation, a rise of 11·6 in the market price of the produce.

The exports of oilseeds were below those of last year, but above the average of the last eight years.

The area of cultivable land mortgaged by proprietors appears to have increased by eight per cent. during the twelve months under review, but the correctness of the returns is impugned, owing to the somewhat doubtful figures received from Dera-

Ghazi Khan, from which it would appear, that that district contained over six per cent. of the total mortgaged area of the Province, a fact which seems improbable if not impossible.

Locusts appear to have done no harm to the crops, and the plague of field rats is reported to have died out.

Extension of Record room accommodation is in general demand, but funds are insufficient for appreciable improvement in this respect. As a whole, the financial condition of the Province, as far as revenue from land is concerned, may be said to be extremely prosperous: the output was somewhat less than in the year 1883-84, but, with this sole exception, the last three harvests in succession have been the most favourable on record.

Report on Municipal Taxation and Expenditure in the North-Western Provinces and Oudh during the year ending 31st March 1895. Allahabad: North-Western Provinces and Oudh Government Press, 1896.

THE official element still strongly predominates in the constitution of Municipal Boards, as will be seen from the following facts:—In six municipalities, the District Magistrate is *ex officio* Chairman; in ninety others he has been voted to that post, and in the case of ten the Tehsildar has been elected. In Fyzabad alone there is, and has been for some time past, a non-official Chairman, but in all other cases the Boards at district head-quarters are officially presided over, while, of the total number of members throughout the province, twenty-one per cent. take their seats as either *ex officio* or “nominated,” nineteen per cent. are classed as officials and eleven per cent. are Europeans. Direct taxation has, as a general rule, proved insufficient in result as well as being difficult of realisation; Octroi therefore furnishes the bulk of reliable income; in eighty-three out of one hundred and three municipalities this form of taxation is in force, and in twenty-two towns no other has been resorted to. In twenty octroi has not hitherto been levied, but with the exception of Dehra, Mussoorie and Rurki, they are places of small importance. The *gross* income realised by octroi throughout the Province, during the twelve months under review, was Rs. 35,04,556, an increase of Rs. 1,94,462 on the figures for the preceding year, the *net* total being eighty-one per cent. of all income from rates and taxes.

Incidence of taxation would appear to be distributed with considerable irregularity. While the average per head of total population within Municipal limits is Rs. 1-0-7, that for Mussoorie is Rs. 6-11-10; that for Naini Tal Rs. 5-6, and in four other instances, the average is between Re. 1-7 and 1-15.

The Boards of Benares, Cawnpore, Lucknow, Mussoorie, Allahabad, Agra, and Naini Tal, spent between them Rs. 7,59,056 on water supply; on drainage, Rs. 2,45,708; and on Public Works, Rs. 2,27,009; expenditure in other towns was chiefly of a petty nature. In Mussoorie, the amount (included in above figures) spent on water was only Rs. 9,646; but, the supply having proved quite inadequate, other arrangements are reported to be in progress, as also in the case of Naini Tal and Dehra.

The year under consideration was an exceptionally unhealthy one, the ratio of deaths per mille of population being 44.94 against 30.78 in the previous twelve months; that of births, on the other hand, fell, being 37.24 against 39.13; the prevalence of cholera, especially in the Lucknow division, during the rains of 1894, is the only reason put forward to account for the high rate of mortality.

Education is evidently not considered of very high importance by the Boards, as it receives only 2.7 per cent. of the total revenues. His Honor the Lieutenant-Governor pleads for allocation to it of at least five per cent., and we think the demand an extremely moderate one.

As a whole, the municipalities of the province, with the exception perhaps of Benares, appear to be in a solvent and advancing condition, and the compiler of the Report is to be congratulated on the clear and lucid manner in which he has marshalled his facts and figures.

Annual Report on the Police Administration of the Town of Calcutta and its Suburbs for the Year 1895. By the Hon. Sir JOHN LAMBERT, K. C. I. E., Commissioner of Police for Calcutta. Calcutta: Bengal Secretariat Press, 1896.

THE Report on the Police Administration of the Town and Suburbs of Calcutta during the year 1895 is little more than a bare analysis of Criminal Statistics. Sir John Lambert is evidently of opinion that, the less said about the work of the police under ordinary circumstances, the better; and, no doubt, he is right. There was nothing specially noteworthy in the events of the year, the most important feature of which was an increase in the number of serious offences against person and property from 444 to 485, which is higher than the average of the preceding four years by 27. In the town, the number of cases of burglary was 134, which, though less by seven than that for 1894, exceeds the average of the preceding four years by 12; while the number of cases of theft rose from 1,489 in 1894 to 1,517, which is in excess of the average by 31. For the Suburbs the figures are much worse, the number of burglaries having risen from 65 to 106, though there was a slight

decrease in that of thefts. The explanation given of this increase of burglaries in the Suburbs, *viz.*, that they were due to the high rate of sickness among the police during the year, rendering a considerable proportion of the men unfit for beat duty, can scarcely be considered satisfactory to the public.

The total number of offence cognisable and non-cognisable, in Town and Suburbs, reported during the year, was 45,291, against 41,512 in 1894; but, excluding "minor" offences, the increase was only 34; of 21,586 cognisable cases sent up by the police, convictions were obtained in 19,369, or 89 per cent, which seems an extraordinarily high proportion. The number of cases of "serious" crime was 4, against 3,225 in 1894; and an average of 3,327. In the Town the number of murder was 9, or the same as in 1894; but 2 of these were by poison, against nil in the latter year, and 2 of them were of native women of the town by unknown visitors. There were no cases of culpable homicide, against 4 in 1894, and there was no case of rape. In the Suburbs, there were 4 murders, or the same number as in 1894, one of them being of a girl-wife by her husband, 2 cases of culpable homicide, and 1 of rape.

We observe an extraordinary increase of cases of "kidnaping," from 20 to 31 in the Town and from 7 to 13 in the Suburbs, regarding which a little more information would have been acceptable.
